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SUDAN NOTES AND RECORDS

incorporating
Proceedings of the
Philosophical Society
of the Sudan

المندمجة فيها وقائع الجمعية الفلسفية بالسودان

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1960

VOLUME XLI DOUBLE NUMBER

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السودان فى رسائل ومدونات

SUDAN NOTES AND RECORDS

Incorporating Proceedings of the

Philosophical Society of the Sudan

FOUNDED 1918

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VOLUME XLI DOUBLE NUMBER

KHARTOUM 1960

Transliteration of the Arabic Alphabet

adopted by the Editors of *Sudan Notes and Records*

أ at begining of word omit, hamza(') elsewhere	ذ dh (coll.d)	غ gh
	ر r	ف f
	ز z	ق q(coll. g)
ب b	س s	ك k
ت t	ش sh	ل l
ث th(coll.t or s)	ص ṣ	م m
ج j or g	ض ḍ	ن n
ح ḥ	ط ṭ	ه h
خ kh	ظ ẓ	و w
د d	ع ʿ	ى y

VOWELS

fatha a

kasra i

damma u

DIPHTHONGS

ى — ai (as in aisle).

ر — au (as in mauser

The ل of the article always remains *l*.

The silent *t* (ة) is omited.

NOTES

1. The system is not applied to well-known names, such as Khartoum, Omdurman, etc.

2. The vowel sounds of *e* in 'get' and *o* in 'hot' with the corresponding long vowels (*a* in 'gate' and *o* in 'home'), which occur only in the colloquial, are expressed by e, o, ē. ō

e.g. beled, Mohammed, bēt (or beit), hōsh.

Ei may be used as alternative to show the long ē.

3. In geographical names the conventional spelling used by the Sudan Government Survey Department is followed, although not always agreeing with the above transliteration.

4. At present phonetic type is not available for proper reproduction of non-Arabic African languages.

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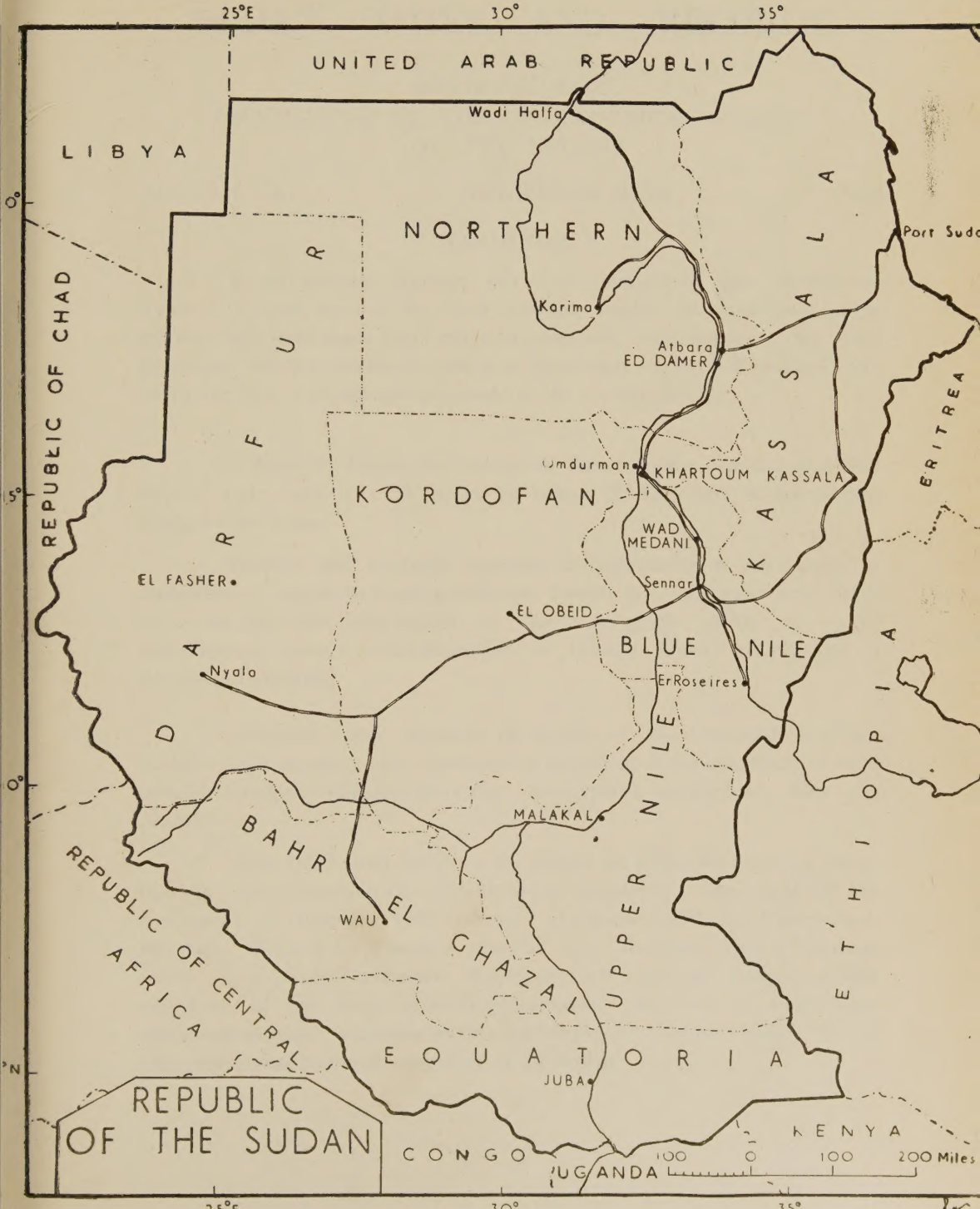
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LIBYA
NORTHERN
KASSALA
Port Sudan
Karima
Atbara
ED DAMER
REPUBLIC OF CHAD
DARFUR
Omdurman
KHARTOUM
KASSALA
ERITREA
KORDOFAN
WAD MEDANI
EL FASHER
Sennar
EL OBEID
BLUE NILE
Nyala
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ETHIOPIA
MALAKAL
BAHR EL GHAZAL
UPPER NILE
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SUDAN NOTES AND RECORDS

INCORPORATING
PROCEEDINGS OF THE PHILOSOPHICAL SOCIETY
OF THE SUDAN

VOLUME XLI DOUBLE NUMBER 1960

EDITORIAL

In the interests of greater speed of production, this number of *Sudan Notes and Records* has been printed locally, in Khartoum. Our printers here have made every effort to meet our requirements within their necessarily limited resources, and it is hoped that readers will overlook any inevitable lack of typographical 'finish' in the present number.

Volume, XLII has now been in the Press for some months and should appear quite early in 1963. Copy for volume XLIII (1962) is now almost ready for the Press.

Readers will doubtless welcome the appearance in this number of authoritative articles by leading Sudanese experts in a number of fields. It is surely not often that a publication of this type prints within one cover contributions from a Vice-Chancellor, a Deputy Chief Justice and a Ministerial Director.

Attention is also drawn to the article by Sayed Mohammed Omer Bashir, which describes and summarises a document of considerable historical interest -a politico-religious tract by an Egyptian sympathiser with the *Mahdiya*.

Since Dr. Farran delivered the lecture on which his article is based, the Nile Waters situation has of course been completely transformed by the Agreement of November 1959 between the Sudan and the United Arab Pepublic. Some of Dr. Farran's remarks now therefore have a historical rather than a topical relevance. But it was felt that so learned a legal exposition of the water-rights in international rivers was of more than ephemeral interest, especially as this is a subject which must always be of vital importance to the development of the Sudan.

DEVELOPING THE ANIMAL WEALTH OF THE SUDAN[1]

By
I.M. KHALIL

STAGES OF LIVESTOCK DEVELOPMENT

It is generally accepted that the development of livestock or the growth of Animal Industry from a primitive state to a highly specialised organisation, should pass through three development stages, namely the survival stage, the quantitative stage and the qualitative stage; but it is difficult to draw a sharp line between one stage and another, and it is inevitable that these three stages should overlap. As a result of efficient disease control during the survival stage, numbers of livestock multiply very quickly and this purely numerical progression is of great economic importance. When the major killing diseases are brought under control and losses therefrom are reduced to a negligible level, other diseases which are normally masked by the devastating effects of the former begin to show up. Examples of these are the parasitic diseases, and certain bacterial diseases such as T.B., Contagious Abortion, Bovine Farcy, etc. This is exactly what has happened in the Sudan. Therefore the success or failure of livestock development should largely depend on the efficient control of such diseases and the many others which may be expected to appear.

Apart from disease control the growth of Animal Husbandry in the Sudan is hampered by adverse factors of environment such as climate, social and economic considerations, nutrition, and the low standard of livestock management. It must be appreciated, however, that until the effects of these are alleviated as far as practicable, the application of the principles of scientific breeding and selection for the improvement of the quality of livestock will be extremely difficult.

The earliest record of veterinary organisation in the Sudan dates from 1902. From those early days until 1939 when the Second World War broke out much progress was made in the Veterinary Services, especially in the research side, and it became clear that a great potential animal wealth existed in the country.

The outbreak of the Second World War caused a break in the normal

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1. Paper presented to the Philosophical Society of the Sudan, 28 January 1958.

development of the Sudan, and hence development in the Veterinary Department had to be curtailed. But the experience of the War impressed upon the Government the valuable part which the Sudan livestock could play in the general economy of the country.

In 1940 when European sources of meat supply to Egypt and Palestine were partially and then completely cut off, the Middle East forces had to depend almost entirely on the Sudan for meat supply and animal transport. The Department's energies were canalised into ensuring a regular flow of healthy livestock to Egypt and purchasing large numbers of transport animals.

After the War the Livestock and Veterinary Policy Committee of the Board of Economics and Trade was formed in 1946 with the following terms of reference :-

"To study the livestock problem of the country as a whole and to make suggestions for the country's future livestock and veterinary policy in all its aspects, including Animal Husbandry and Dairying".

The Committee submitted its report in the same year. Arising from its recommendations the broad lines of policy laid down were that it was wasteful to allow death from disease to be the factor controlling animal numbers and that mass immunisation against, or treatment of, the major killing diseases should be started. On account of the increased numbers expected to result from such a policy, it was also decided that there should be expansion of water supplies in rural areas so that grazing grounds not yet available owing to lack of water could be utilised, and that every effort should be made to find an outlet for surplus stock in the form of increased export of meat on the hoof, or in frozen, dehydrated or canned form. It was also to be part of the policy that increased efforts should be made to improve the quality of livestock products, especially hides, and that, with an eye to the country's future requirements of professional men, steps be taken to increase the intake of the Veterinary School. It was realised that to give effect to this policy the size of the Veterinary Service, especially its Research Section, would have to be increased.

The following ten years saw the steady implementation of the new policy. Progress was made in the control of Bovine Trypanosomiases, mass immunisation against rinderpest, pasture survey, provision of water supplies, the improvement of hides and skins, the establishment of a livestock marketing organisation and finally the improvement of livestock and the promotion of poultry industry and dairying which is now in progress.

Late in 1950 Professor Bisschop of South Africa was invited to visit

the Sudan and study the possibilities of livestock development. He toured the whole country and submitted a report which was very valuable to the Department and which was freely used when plans for the development programmes were drawn up.

Again, early in 1957 another expert of international repute was asked to visit the country to give a final opinion on our plans just before they were put into effect. This was Dr. John Hammond of Cambridge University. He submitted a report supporting the original plans and furthermore advising on the integration of livestock to our farming system.

LIVESTOCK OF THE SUDAN.

It may be interesting to know something about the types of livestock existing in the Sudan :-

CATTLE

The cattle population of the Sudan is estimated to be nearly seven million head distributed as follows :-

Northern Province	132,000
Khartoum Province	5,000
Blue Nile Province	670,000
Kassala Province	217,000
Kordofan Province	1,000,000
Darfur Province	2,000,000
Upper Nile Province	1,185,000
Bahr El Ghazal Province	1,445,000
Equatoria Province	262,000
TOTAL	6,916,000

Generally speaking the Sudan cattle are of two types : the Northern or Arab and the Southern or Nilotic.

THE ARAB CATTLE

These cattle resemble the short-horned Zebu cattle which are believed to have entered Africa in the seventh century. They are characterised by a large hump, short horns and pendulous dewlap. They are sub-divided into western cattle found in Darfur and Kordofan, and Riverain cattle found along the White Nile North of latitude 12 and along the Blue Nile. Within these sub-divisions several types are recognised, taking their names from the districts they inhabit or from the tribes owning them, e.g. the Fallata cattle of

Darfur, the Butana cattle of Khartoum Province, the White Nile cattle along the White Nile, the Kenana and Rufaa along the Blue Nile. Although all these types possess recognisable special characteristics they are essentially of the same Zebu origin.

The vast majority of these cattle are nomadic and they are generally triple-purpose animals, providing milk and meat and being used for work.

The Riverain cattle, particularly Kenana, Rufaa and Butana, possess great propensity for milk and they are considered to be amongst the best breeds of cattle in Africa and Asia.

These cattle are in fact the foundation for the development of Dairy cattle in the Sudan.

THE SOUTHERN OR NILOTIC CATTLE

These are said to be the oldest cattle in the country and they appear to be a blend of the ancient Hamitic (Humpless) long-horn and the long-horned (Humped) Asiatic Zebu resulting in a long-horned beast with a relatively small hump. They are found in Bahr El Ghazal and Upper Nile Provinces and in the Mandari area of Equatoria Province. They are poor milkers, the best cow rarely giving more than half a gallon a day, but they yield good beef, probably due to the fact that all males not required for breeding purposes are castrated at an early age, and also because water and green grass are more easily accessible to them than to the Northern or Arab cattle.

EQUATORIA CATTLE

In Eastern Equatoria there are two types of cattle, namely Toposa and the Mongalla cattle. The former are the best beef cattle in the Sudan. They are large with long legs and short horns curved upward and inwards. The latter which are owned by the Latuka and other tribes of Torit area are small animals and poor milkers.

THE KOALIB HILL CATTLE

These are very small cattle found in the Nuba mountains. Their number is not very large - only about three to four thousand. But their importance lies in the fact that they are resistant to Trypanosomiases. They live in a tse-tse infested area, and still they never suffer from the disease. The introduction of these cattle into the tse-tse areas of Equatoria Province as a source of meat supply, particularly in the Zande area, is being investigated.

SOCIAL AND ECONOMIC SIGNIFICANCE OF CATTLE: SOCIAL CONSIDERATIONS

The vast majority of pastoral cattle-owners are nomads or semi-nomads, a mode of life forced upon them by climatic conditions. In the North nomadism is a systematic seasonal migration from North to South during the dry season and from South to North during the rainy season, in search of water and grazing for the herds. It is a hard way of life and undoubtedly it has its effects on the people as well as on the cattle. Both man and beast require enormous physical energy to live such a life, and they have both become adapted through the years to this mode of existence.

In the South the picture is rather different. Migration takes place, but to a much lesser degree. The Nilotic moves with his herds, again systematically, but towards the main river in the dry season as the flood waters recede, and away from it to the higher grounds during the flood time. In this way the migration is not usually more than about 20 miles, and only in rare cases up to 80 miles.

If we consider the value of these seven million cattle in terms of money, at an average value of LS. 15 pounds a head, amounting to over hundred million pounds, we will readily understand the economic significance of this wealth to the country in general, and to the cattle owners in particular As cattle are the only form of wealth to these nomads, we will also understand the association of these animals with all social and domestic ceremonies.

About a half or a little more of the Sudan cattle is in the hands of the Northern Pastoralists. The other half or a little under is in the hands of the Southerners or Nilotics.

The Arab cattle of the North are the only cattle utilised economically. Nearly all beef for local consumption, all cattle for export, and all working bulls for agricultural activities are drawn from them.

On the other hand the Nilotic cattle at present are of little value to the general economy of the country, simply because the Nilotic is very loth to part with his cattle. But why should he sell his cattle if he does not need the money? The only use for money, to his mind, is to buy cattle. Then why sell what he has already got?

I personally do not blame him. Such is his social set-up. Cattle are the only thing to him in life and they are life itself. He sleeps with them in the same "luak", shares the same smoke from the dung fire, and the same ash bath. He sings for them, and like human beings, every individual has a name

and perhaps a nick-name too. So intimate is this association that parting is not so easy, as with intimate friends.

A Nilotic cannot have a wife if he has no cattle. Money is no good Nothing else is any use; he must have cattle - or no wife.

Blood money is settled in cattle, and other offences are punishable by fines of cattle. All business transactions are conducted in terms of cattle. After all, what is money, other than a means for business transaction?

Nevertheless the Nilotic does sell cattle; but only when he is pressed by famine. In years of good harvest the surplus grain goes to buy more cattle. So it goes on, and every effort is made to acquire more and more cattle. I do not think that the mentality of the Nilotic is much different from that of more civilised people, who go on making more money all the time. The principle is the same, though the material is different.

We like to make more money to improve our standard of living but no matter how many cattle the Nilotic may possess, still his life is the same, with its very low standard of living.

Exactly like ancient man, the Nilotic, no matter how wealthy he may be in terms of cattle, still goes hunting or fishing for his daily meat. With all the cattle of the world he would still go hungry for meat if a hunting expedition were not successful.

This is briefly the life of nearly one-third of the Sudan population owning nearly a half of the cattle in the country. I am looking forward to the days when all of this becomes history, but I must make it very clear what a difficult task and what a big undertaking we bear on our shoulders to help those people to rise upon their feet and catch up the caravan which is moving very fast. I am sure we are capable of doing it, but only through the joint efforts of all those concerned with the development of the country.

To us in the Department of Animal Production this attitude of the Nilotic towards his cattle constitutes a major problem. The swampy areas of the South are good for nothing much except cattle raising, which could be as profitable as cotton cultivation if the people were only a little more sophisticated. But no serious development on this line can be launched unless the Nilotic is ready to part with his surplus cattle. I do not think he will do so unless his social system is changed but the social system cannot be changed unless his standard of living is raised, and in turn, his standard of living cannot be raised unless he sells cattle. Thus it is a vicious circle which ought to be broken somewhere at its weakest point. The only weak point I can see is in the

disposal of surplus cattle and he should be persuaded or educated to dispose of these.

General education alone cannot help. Indeed, for many years to come such education may or will have adverse effects because, when the boys go to school at the expense of the Government, feeding, clothing, and all, and after their mode of life is thus totally changed, they are completely lost to the tribe. They cannot return to live the "luak" life. It is very difficult for them to do so; indeed, it is impossible. This is why you see so many of these boys, after completing their elementary education, roaming about in the towns looking for jobs. Any job is good enough and better than returning home. In this way we are draining away the young men who are supposed to help their fathers in herding the cattle.

Even the uneducated boys who have been attracted to the towns somehow, where they do all sorts of odd jobs, never want to go back home. Do they need jobs? In fact they don't. They can do a lot in the cattle camp, but once used to modern life they cannot live in the cattle "luak".

To my mind this is one of the most serious social problems facing the country today, and I mention it here just to sound the alarm and I very sincerely hope serious consideration be given to it and a solution sought. Upon the solution of this problem the progress of the South very largely depends.

As I mentioned earlier on, man in the very early days of his progress discovered the value of using animals as beasts of burden and this discovery was in fact the key with which he opened the door of civilisation. It is sad to note, however, that the Nilotic has yet to find this key. He has never been able to utilize his animals in that way; and it is very difficult to understand the reason why he carries a big load on his head following his herds, while the Baggara of the West, who utilise their beasts fully in this respect, are advancing at a good pace towards civilisation and development.

During my service in the South (Upper Nile Province), every time I tried to persuade a Nilotic to ride a bull or carry a load on it, he just laughed at me and thought me crazy. Once I pointed out a Baggari on the back of a bull to a Nuer, encouraging him to do the same. His answer was that the Baggari was a fool to do so, and he told me that God provided him with two strong legs to carry him and there was no reason for him to use a bull's legs. I must admit that there is logic in this argument, but it could not take him anywhere.

I am very sorry to weary you with this consideration, but the problem is associated with the entire development of the South, and the

development of Animal Industry would be one of the most important, if not the most important, means of progress, particularly in the Swamp Zones

ECONOMIC CONSIDERATIONS

Apart from providing meat and milk for internal consumption there is an important export trade in live cattle and in hides.

Our annual export of cattle is about 60,000 head and this is limited only by the capacity of our transport and is not in any way an indication of the country's capabilities. It is estimated that we could provide about a quarter of a million cattle at least annually for export if we could find the means to export them.

All of the cattle exported go to Egypt and to my knowledge the Egyptian market can absorb two or three times as many cattle as we are exporting now if we can get them there.

Efforts were made to export beef in the can and the Sudan Meat Products Company established a modern factory at Kosti for the purpose. Unfortunately this factory is not operating now for reasons I am not quite aware of. In any case the production of canned meat is an expensive operation, especially in a country where all the material required for packing is imported from abroad and it would be more profitable to export meat in the chilled or or frozen condition. The possibility of doing this is being investigated and it is hoped that with the erection of Omdurman Central Abattoir this should be quite feasible.

The export of cattle on the hoof is a complicated operation. The cattle have to be protected against many diseases and quarantined for a prescribed period in accordance with international Rules. Train spaces have to be reserved according to a special system of registration and distribution of a quota to all exporting merchants. Trains have to be regulated to run according to a fixed time-table throughout the year, and they have to fit in with the regular river service in the Shellal reach or occasional services in the Red Sea between Port Sudan and Suez. Arrivals into and departures from quarantine parks in Khartoum North, Wadi Halfa and Port Sudan have to be regulated so that no congestion would take place in any of these quarantines. Sufficient fodder for the cattle has to be provided in quarantines. A continuous flow of cattle from the West to the rail head in El Obeid has to be organised so that no delay to the trains occurs. Last but not least every casualty among the cattle during transport and in quarantine has to be investigated

thoroughly and the cause of death entered in a special form called "Route Report" which should accompany the cattle throughout the journey to their destination.

It is estimated that an export bull loses from 30 to 50 kilos body weight in the progress from the grazing grounds in Western Sudan to its destination in Cairo. This is in fact a great economic loss, but it cannot be avoided. It is however hoped that when the Western extension of the railway reaches Nyala this loss will be greatly reduced because the cattle will be transported by rail instead of walking to El Obeid, a journey of about 3 weeks, and a very hard one especially during the dry season. Plans are being drawn up to divert the cattle traffic from El Obeid to Nyala, with a resting station somewhere around Abu Zabad or Rahad depending on the availability of grazing or cut fodders.

LOCAL BEEF CONSUMPTION

It is very difficult to estimate the number of cattle slaughtered locally for meat, but during late years the numbers have greatly increased. Figures from urban slaughter houses for the year 1956-57 indicate that nearly 130,000 cattle were slaughtered. Of course a lot more are killed in villages and for ceremonial purposes annually, as indicated by the number of hides exported from the country.

Meat consumption in any country depends on the standard of living of the people and the following figures of cattle slaughtered annually in the principal towns since 1935 would give an indication of the increasing prosperity in the Sudan. It should not be forgotten however that beef is not the meat of choice, and very many people prefer mutton as will be seen later.

1935	21,448	—	1950	49,859
1940	23,986	—	1951	58,995
1945	25,189	—	1956	128,536

Our annual export of hides is about half a million hides apart from the numbers used locally for various purposes. This shows that at least half a million cattle are consumed annually either through slaughter for meat, or by death due to disease. But deaths due to disease in late years have been reduced to a very low level and most of these hides must be coming from slaughtered animals.

MILK

In spite of this large cattle population one may experience shortage of milk in many parts of the country, especially during the dry season, and particularly in big towns. Perhaps the most astonishing fact in this respect is the great shortage of this very important diet in most of the irrigated areas. A very good or bad example of this is the Gezira Scheme and Wad Medani town, where a large part of the population is forced to use powdered milk imported all the way from Europe or Australia.

Take for example the Three Towns with a human population of about a quarter of a million people. There is only one dairy which can cope with only a small fraction of the milk requirements and had it not been for the humble goat, which is regarded as Enemy No.1 by the Forestry people, our children would have gone without milk. The bulk of milk supply therefore, comes to us from the goats in the nearby villages, but most of it is unhygienic and on occasions may be fatal to humans.

Promotion of dairying around the big towns is a matter of great importance; but there is no indication that private enterprise can be relied on to promote this industry, for many reasons, the most important of which perhaps would be the high market value of cash crops and the low productivity of our cattle at present, coupled with ignorance of dairy husbandry.

Therefore, it should be the responsibility of the Government, at least for the present, to start these dairies to go hand in hand with the improvement of the Sudan milch cow now in progress in the various cattle breeding centres. After the standard of our cows has been raised sufficiently to guarantee a reasonable profit to any dairy farmer, then the Government can give way to private interprise and concentrate only on matters of research in Dairy Science and the organisation of milk pasteurisation and distribution. This is exactly what the Government of India is doing to solve the problem of milk supply, and we are trying to do the same in the Sudan.

GENERAL CONSIDERATIONS

The main purpose of developing Animal Industry is to raise the standard of living of the people by making available to them at reasonable price foods of animal origin namely milk, meat, and eggs, which are most essential for the maintenance of human health and the vitality of their bodies. If the diet of a population is well balanced, they can do more work and hence earn more and raise their standard of living. Therefore, a sound policy of

nutrition should be one of the most important policies of any national Government.

Mixed farming does not exist in the Sudan due to many factors.

Our main cash crop is cotton, and since cotton is the main source of our national economy it should continue to receive our greatest attention so long as its prices remain high, but the importance of integrating livestock into our farming system should not be overlooked.

I am not advocating mixed farming on the pattern practised in Europe, simply because cattle raising with artificial fodder at present may not be very profitable to farmers, and for that matter the natural pasture could be utilised with great advantage. Nevertheless, such integration has its values and it is best described in Dr. Hammond's own words :-

"While cotton is the main crop in the Gezira the output of which should on no account be reduced, there would appear to be many advantages in properly integrating dairy cattle into the farming system in this area. The main advantages would appear to be as follows :-

1. A good supply of milk would provide protein and raise the level of nutrition of the tenants and workers. Eventually too, with the proximity of the railway, it could also provide the main source of milk supply to Khartoum and other towns in the vicinity, if an organised system of collection and distribution were established. It might help if some form of corporation for this purpose were to be set up shortly after the improved cattle were introduced.

2. In the event of any depression in the cotton trade, it would tie the tenants to the land and keep them going until the cotton trade took an upward trend again.

3. The cattle manure would increase the yield of cotton per acre, as has been demonstrated by experimental work at the Gezira Research farm.

4. It would give a week-to-week income to the tenants between cotton harvests and would give a certain amount of employment between the times of crop cultivations.

5. A supply of working bulls would be available on the spot.

Then Dr. Hammond goes on to describe the various methods of introducing cattle into the scheme.

SHEEP

It is estimated that the sheep population in the Sudan is about 7 million distributed as follows :-

Bahr El Ghazal Province	500,000
Equatoria Province	275,000
Upper Nile Province	438,000
Blue Nile Province	1,950,000
Kordofan Province	1,500,000
Darfur Province	1,190,000
Khartoum Province	150,000
Kassala Province	626,000
Northern Province	317,000
TOTAL	6,946,000

There are about four types of sheep in the Sudan : namely the Desert sheep, Zaghawa sheep, the Nilotic and the Toposa. The best of these in the desert sheep, predominant nearly all over the Narthern Sudan.

The value of a sheep is low compared to that of a bull and sheep are, therefore, readily disposed of and hence there is a considerable off-take. The vast majority of Sudanese prefer mutton and a considerable number of sheep are slaughtered annually for local consumption. Figures from the slaughterhouses in the principal towns for last year were nearly half a million sheep.

The Sudan sheep, especially the desert ones, are quite good and they hardly need any improvement except perhaps some local crosses to try and raise the standard of the poor ones. They are well suited to the local conditions and they yield very good mutton. However, plans are being made to import Karakol sheep, which are famous for their valuable skins and which are doing very well in French Equatorial Africa.

There is a good export trade in sheep and sheepskins. In 1956-57 about 150,000 sheep were exported to Saudi Arabia and about 1 million skins went to various countries. Sheepskins are of high quality as they all come from animals slaughtered for meat. Sheep dying from other causes are not usually skinned. The number of skins used locally for various purposes is considerable.

Anyway the 1½ million sheep skins exported annually should give an indication of the amount of annual off-take from these animals.

GOATS

There are about 6 million goats in the country distributed as follows :-

Bahr El Ghazal Province		662,000
Equatoria Province		500,000
Upper Nile Province		440,000
Blue Nile Province		1,437,000
Darfur Province		1,000,000
Kordofan Province		1,000,000
Northern Province		170,000
Kassala Province		399,000
Khartoum Province		180,000
	TOTAL	5,716,000

The goat has been rightly called the "poor man's cow", and indeed it is. A good goat is several times more economic than a cow as far as milk production is concerned and it is therefore of great economic importance to urban and sedentary people as the main source of milk supply. Kids' meat is a universal dish throughout the country, and it is a delicacy when killed under two months of age. Goatskins are of high quality and many of them are used locally for various purposes. They also fetch high prices in external markets. Our annual export is about half a million goat skins.

Goat flesh is not very popular, but still annual slaughter figures indicate that about 70,000 goats are killed for meat annually.

CAMELS

There are about 1½ million camels, all in the Northern Sudan. Camels are of two main types, the riding camel and the baggage camel.

Very few camels are slaughtered for meat in the Sudan - only about 4,000 annually - but there is a good export trade in camels to Egypt. About 50,000 camels, worth over 1 million pounds, are exported annually.

There are very good prospects in camel-hair export trade. At present camel-hair is used by the owners for various purposes but the possibilities of developing an export trade in this valuable product are being investigated.

POULTRY

It is very difficult to give an estimate of the number of chickens in

the country, but in nearly every home in the Sudan there are chickens of some description and for this reason I believe there are no less than 10,000,000 chickens in the country.

The local birds are small in size and they lay very small eggs but they are very hardy and resistant to disease.

Plans are being made to improve our local birds by crossing them with White Leghorns which were found to be the best among European breeds for Sudan conditions.

A central poultry farm has been established in Khartoum North and other smaller units are being established in all other Provinces.

Extension village poultry schemes have been started in the Gezira, Abu Guta and various other irrigated areas.

HORSES & DONKEYS

These animals are comparatively of less economic value to the country.

Horses are used by the Baggara for herding their cattle, by Government Officials for the performance of their duties and in towns for drawing carts for hire. They are mainly bred in Darfur and Kordofan and there are about 100,000 of them.

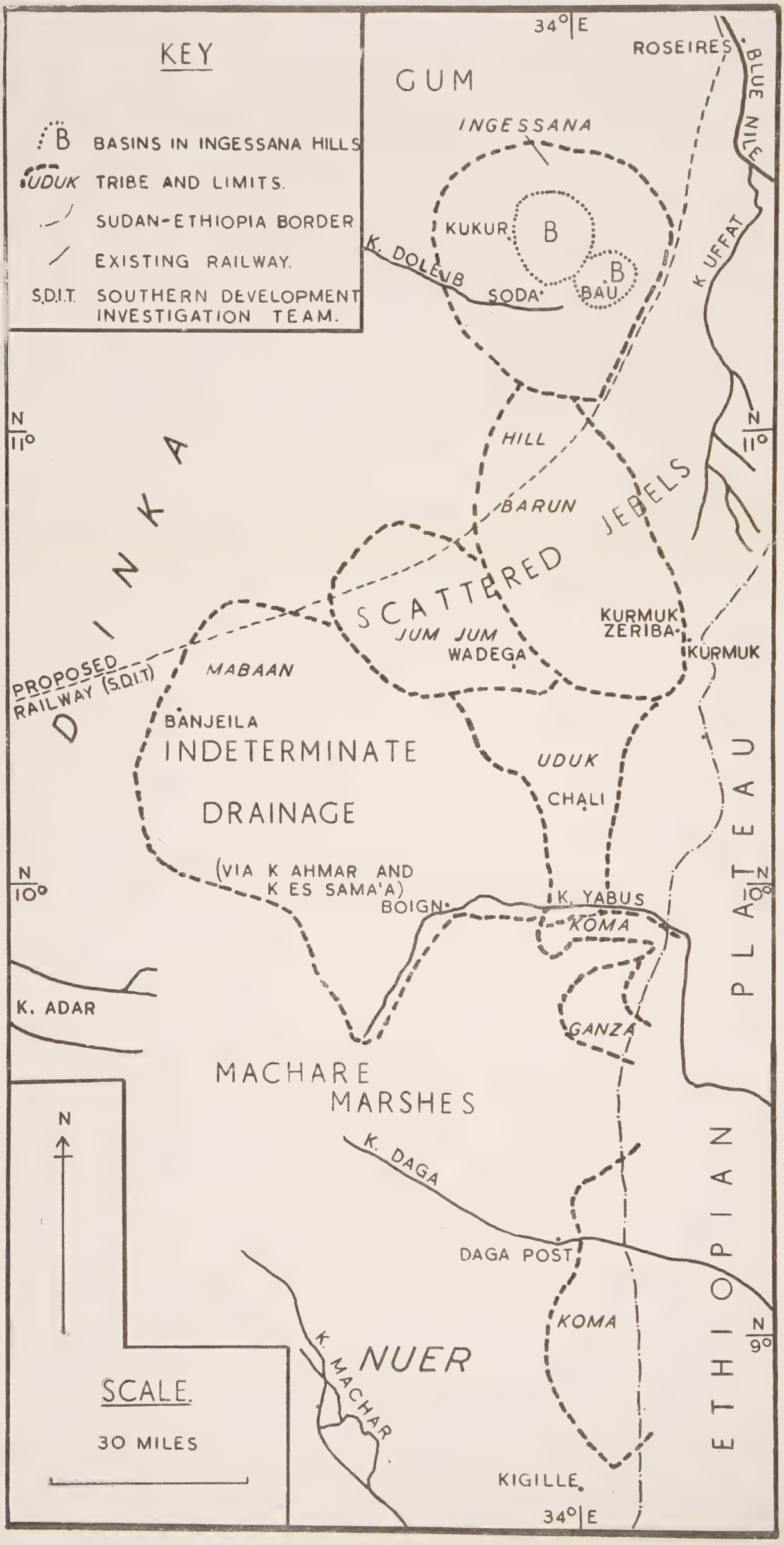
Donkeys are more commonly used for riding and as pack animals, especially in the villages. There are about half a million of them in the whole country.

Improvement schemes for both animals exist and recently horse stallions were imported from Egypt for this purpose.

Our efforts for livestock improvement are mainly directed to cattle, not only because cattle are the most important animals in the country, but also because other animals do not require much improvement at present nor do they suffer heavy loss from disease like cattle. The main features of our development plan are listed below.

1. Mass immunisation of cattle against Rinderpest and C.B.P.P.
2. Tse-tse survey and reclamation work in the Southern Sudan.
3. Mass treatment and protection of cattle against Trypanosomiasis.
4. Establishment of livestock improvement centres at Ghazala Gawazat in Southern Darfur, Umm Benein in Singa District and at Wad Medani.

5. Poultry Improvement centres in all Provinces.
6. Promotion of the Dairy Industry in various towns.
7. Establishment of a Grassland and Range Management experimental station in Southern Darfur.
8. Establishment of grass fire prevention pilot schemes in Dar Rizeigat, Dar Habbania and Beni Helba.
9. Establishment of a Livestock Marketing Organisation - to improve markets and routes loading to them.
10. Research work in Brucellosis, T.B. and Caprine P.P., (B.P.P.) etc,


KEY
B BASINS IN INGESSANA HILLS
UDUK TRIBE AND LIMITS.
SUDAN-ETHIOPIA BORDER
EXISTING RAILWAY.
S.D.I.T. SOUTHERN DEVELOPMENT INVESTIGATION TEAM.
34° E
ROSEIRES
BLUE NILE
GUM
INGESSANA
KUKUR
B
B
BAU
K. DOLEIB
SODA
K UFFAT
N 11°
HILL
BARUN
JEBELS
DINKA
SCATTERED
JUM JUM
WADEGA
KURMUK ZERIBA
KURMUK
PROPOSED RAILWAY (S.D.I.T)
MABAAN
BANJEILA
INDETERMINATE DRAINAGE
(VIA K AHMAR AND K ES SAMA'A)
UDUK
CHALI
N 10°
BOIGN
K. YABUS
KOMA
PLATEAU
K. ADAR
GANZA
MACHARE MARSHES
N
K. DAGA
DAGA POST
KOMA
ETHIOPIAN
K. MACHAR
NUER
N 9°
SCALE.
30 MILES
KIGILLE
34° E

SOME TRIBES OF THE ETHIOPIAN BORDERLAND BETWEEN THE BLUE NILE AND SOBAT RIVERS*

A Study in Comparative Human Ecology

by

H. R. J. DAVIES

To the south and west of Roseires and north of the Sobat River, three distinct physical environments can be observed : first the region north and west of Kurmuk, a plains area with scattered jebels, including to the north the rather larger hill mass known as the Ingessana Hills; secondly the foothills region of the Ethiopian plateau along the frontier of the Sudan; and thirdly the vast plainlands to the west stretching southward into the Machare Marshes and the River Sobat beyond. Besides the well-known Nilotic peoples, Dinka, Nuer and Shilluk, this region contains a number of interesting tribes about which little is known, and whose racial affinities are much in doubt. Each of these tribes has made its own distinctive response to its environment, a response reflecting especially its geographical position in relation to the above physical regions. Seven of these tribes are discussed in this paper : Ingessana, Hill Barun, and Jum Jum, all jebel dwellers; Koma and Ganza of the Ethiopian foothills; and Mabaan and Uduk of the plains. (See Map I and Table I).

In this area mean mean monthly temperatures vary from the upper 70's to upper 80's F., according to season. The coolest weather is experienced in December and January and during the rainy season *(kharif)*, while the hottest weather occurs just before the rains begin. The *kharif* lasts usually from April to November, but is a little shorter, from early May to October, in the north. The total fall varies from about 30 inches in the Ingessana Hills and Mabaan country, to 40 inches and over in the Ethiopian foothills. The rainfall varies from one year to another, but not sufficiently to make droughts a serious problem, except on rare occasions. The Ingessana country has the highest mean annual rainfall variability at 18% and the Ethiopian foothills the least with about 10% 1.

The vegetation of the area is mainly Woodland Savannah, with a general increase in the height and density of trees and grass towards the south and east. In the Ingessana Hills and along the Ethiopian border denser woodland is encountered, occasionally becoming quite thick. On the Mabaan-

* Paper presented to the Philosophical Society of the Sudan, 26 November 1958.

Uduk plains, especially towards the west, the woodland gives way to a Savannah Grassland with only occasional scattered bushes. Cultivation has in many areas, especially around the hills, added to the areas of open grassland. Certain trees and bushes are of great importance. North of the Ingessana Hills lies an important area of *hashab* and *talh* gum trees. The Dom and Doleib palms are used for mat making, being found in quantity in the Ingessana and Mabaan country. Tebeldi bark is used for ropes wherever the tree is found, while at the Hill Barun village of Kurmuk Zeriba a tebeldi was used for storing water. The bamboo is a prized commodity for hut-building, being most abundant in the Ingessana Hills and along the Ethiopian border.

The rest of this paper discusses each of the three groups seperately. At the outset it is perhaps important to point out three basic similarities in their mode of life. Their round huts all have a timber framework and grass roof, made necessary by the heavy rains. Their basic food grain is *dura*. Agriculture is their most important occupation.

JEBEL DWELLERS

The scattered jebels stretch in a north-north-westerly direction from Kurmuk forming the watershed between the White and Blue Niles. They are for the most part composed of the basement complex, a tongue of which extends northwards between the two Niles as for as the Manaqil area as a sub-surface feature.

The Ingessana Hills cover an area roughly 20 miles from north to south and 30-35 miles from east to west. They comprise a series of basins, the two most important being Bau Basin, and a rather larger one to the west. The rims appear to be formed of ultra-basic rock especially serpentine, while the basins themeslves are formed in granites.

These hills are inhabited by the Ingessana, while the Hill Barun live in the scattered jebels to the south between here and Kurmuk. Both are mixed agriculturalists and pastoralists. The Jum Jum inhabit the jebels around Wadega to the west of the Hill Barun country. To-day they are agriculturalists. According to their own traditions they once had many cattle but lose most of them through disease.

All three tribes are traditionally hill dwellers, though Jum Jum tradition is that their original home was on the White Nile. The marauding slave trader and Arab nomad were probably the most powerful factors driving them up the jebels. Political security, the control of nomad grazing, possibilities of trade, and the importance of the clay plain cultivation in the economy are slowly bringing them down - not on to the clay plains, but to the

jebel foot and lower slopes where water is usually available. The clay plains are a quagmire during the *kharif,* unhealthy both for the people and their animals.

INGESSANA

The Ingessana live in scattered family homesteads, each with its own *hosh*. Besides the family huts there is always a guest-house and a grain store *(suweiba),* which is a small hut raised off the ground. The hole-in-the-ground grain store *(matmura)* of the northern clay plains cannot be used because of the dampness and white ants in the ground. The *hosh* distinguishes one family from another, and keeps out unwanted night prowlers such as leopards, hyenas, and other wild animals found here during the *kharif* which would otherwise take the goats and chickens kept within it.

Traditionally the agricultural land falls into three main parts, the *hosh* area, the terraced hillside, and the clay plain cultivation. The relative importance of each of these units in the economy depends very largely on the distance of the homestead from the clay plains. Generally, the nearer to the clay plains, the less important are the *hosh* and terrace cultivation, and vice-versa. With most of the new homesteads on the lower areas the terrace cultivation is of little importance. In the new settlements around Soda there is hardly a terrace to be seen. The aim of the terrace is to reduce the speed with which the rainwater runs down the hillside, thereby reducing soil erosion and allowing more water to penetrate the soil. In this way the hillsides could be cultivated - a most important achievement in the past with unsettled conditions on the plains 2. Ingessana terracing is however primitive and not to be compared with the masterpieces of Jebel Marra.

The main crops grown within the *hosh* and on the terraces, which are usually nearby, are quick-growing *dura,* maize, chillies, tobacco, various spices and gourds. All these are grown during the *kharif.* The *dura* and maize are sown about May, and the *dura* is harvested some two months later. This crop is of great importance as it tides the people over the hunger months after the rains have started and before their main crop from the clay plain is ready. The cultivation and harvesting of these crops is done by the womenfolk.

In most parts of the Ingessana Hills the main part of the cultivation is to be found out on the clay plains. This farm is called the *bildat.* Its cultivation is the responsibility of the whole family, and labour of a prospective husband's family is part of the bride-price. The size of *bildat* cultivated depends on the operation of these two factors, plus a third - the distance of the

clay plain from the homestead. A farmer whose *bildat* is more than two hours' walk away from his home in the hills is unable to cultivate as much as his more favourably placed countryman. "*Hishing*" of the *bildat* is a communal affair.

A new piece of land is brought under cultivation by the *hariq* method, in which the grasses are burnt off just after the new grass shoots caused by the early rains have come through. Trees are not rooted out but are merely cut down as required for *zeribas*, or to add to the ash from the grasses in fertilising the soil. Technically a piece of land is not *bildat* until its second year of cultivation. A simple form of rotation is practised in most parts. A *bildat* is usually divided into four or five parts representing a different year's *hariq*, so that a farmer always has some land under each section of the rotation. The main crops grown on the *bildat* are *dura* and sesame, but intercropping with minor crops, e.g. *lubia* and other beans, is universal. There are two distinct harvests on the *bildat*. The first one in September consists mainly of sesame and light *dura* grains sown in June, whilst the second in February is composed mainly of heavy grain which takes up to eight months to mature. The February harvest is the more important. The relative importance of *dura* and sesame in the rotation depends largely on the situation of the *bildat*. If there are Arab traders and a road nearby, sesame is frequently the more important.

The clay plains are inherently difficult to cultivate, but are favoured because they are fertile, free from stones, and well watered yet not easily eroded, because they are flat and collect the rainwater running off the jebels.

Little work is done on the land after the main harvest in February until April, when preparations for the new season begin. During this period the numerous Ingessana crafts flourish. Small quantities of cotton are grown and cloth is made on primitive equipment. Spinning is the woman's task, and weaving the man's. Mats are made from Doleib palm leaves. Soda is a metalworking and pottery centre. During this period some people especially from the northern side of the hills go out to collect gum. This is also the marriage season, particularly the month of April.

Part of the bride price is paid in animals. The Ingessana keep mainly cattle and goats, though some sheep, donkeys, pigs, chickens and even camels are to be found. In barter one cow is worth fifteen goats. During the *kharif* the cattle are to be found around the drier jebel foot or on the jebels themselves. At night they are herded together into *zeribas* with smoke fires to keep away insects and wild animals. With the coming of the dry season the search for pasture begins. The first movement, in December or January, is outwards to north, east, south, and west. Later the Ingessana cattle herders

congregate with the Arab nomads, either along Khor Uffat to the east, or towards the south near the Machare Marshes, and sometimes even almost to the Sobat River. With the *kharif* in the south the return begins, and by June the cattle are back home. Not every family sends out a member with its cattle. If they have few they will combine with other families, or even send them off with the nomads 3. Some cattle are kept in the area throughout the dry season to supply the people with milk, and are herded with the goats by small boys. During the *kharif* the goats are tethered at night for safety within the *hosh*. Perhaps this is the clue to the continued fertility of the *hosh* land. The camel migration is different. They go off to the north with the nomads during the *kharif* and return to spend the dry season with their owners.

Trade came to the Ingessana Hills with the motor lorry from about 1935 onwards, and has expanded greatly since the Second World War. The main exports of the Hills to-day are, in order of importance, sesame, *dura*, gum and *okra* 4. Bau and Kukur are the main trading centres.

HILL BARUN

The Hill Barun environment is essentially similar to that of the Ingessana. Their jebels are more scattered; the *kharif* a little longer; and the rainfall a trifle higher. Their mode of life is also broadly similar. But they are less individualistic, living in true villages and having a more communal agriculture. All the cultivation apart from the planting of *dura* is communal Also they are less sophisticated. Before 1950 nearly all trade was by barter, and their villages were all up jebels.

Their huts are distinctive, being constructed on piles above the ground so as to keep the floor flat and to allow the rainwater to drain away underneath. There is usually only one or two huts to a *hosh* as all sleep together. The *dura* is stored "in the head" on a rack in the roof and not in a *suweiba*.

Usually they have only one plot of land on the hillside which is usually within the *hosh,* and if necessary crudely terraced. Two new crops appear - *babun* (a kind of sweet potato) and pawpaw.

On the *bildat* cultivation sesame is relatively less important than in the Ingessana Hills because there are fewer Arab traders. It is called "the young man's crop" because with the money he can buy animals to pay the bride price. Frequently these people construct a seed bed and then transplant their *dura* and sesame. Their method of opening up a new piece of land is

a variant of the Ingessana *hariq* method. The grass is burnt off the previous dry season and the plot is "*hished*" before planting.

The pastoral side of their economy is less complicated, perhaps because they possess fewer animals and the rainy season is a little longer. They are not as venturesome as the Ingessana herdsmen, rarely going more than 15 miles away from the village. The cattle are taken away to graze as soon as the plains start to dry out so as to preserve the grass near the jebels for the dry season. They possess no camels.

Little is done during the agricultural closed season apart from the herding of the animals. These people have few crafts, though their huts are masterpieces of construction.

JUM JUM.

The Jum Jum are a small and declining tribe whose language is dying so fast that the Mission working there 5 have decided not to learn the language. Trade has made its entry here since 1955, with the construction of Wadega *suq*. They too have begun to descend from their jebel fastnesses 6. This tribe's loss of identity has been accelerated by these two factors, but owes its origin to cattle disease already referred to which has caused the bride price to lapse 7. Jum Jum women are popular with the tribe's neighbours.

The Jum Jum in spite of their small size are an interesting tribe in that they have features in their mode of life reminiscent of the Ingessana and Hill Barun on the one hand and of the plains Nilotics and the Mabaan on the other, but unlike both groups they are now purely agricultural. Their scattered settlements are reminiscent of the Ingessana. As with both the Ingessana and the Hill Barun, crops are grown around the huts. They have no fence around the hut cultivation, perhaps because they have few animals to eat the crops. They cultivate out on the clay plains like the other jebel dwellers. However, like many of the plains Nilotics, and the Mabaan, they have dry season settlements situated at a distance from the main village, near a place where dry season water is available. For this reason their main piece of cultivation is frequently along or near a *khor* bed. Most of the jebels they inhabit are small and have no adequate dry season water supply. The jebel in the life of the Jum Jum plays a similar role to the "dry point" in the life of the Mabaan (see below).

The Jum Jum do have some distinctive features of their own. One of these is the cultivation of maize on the sites occupied by the *zeribas* of Arab nomads. However their true distinctiveness lies in their transitional position

between the jebel and plain dwellers. Perhaps this is a reflection of their tradition that originally they came from the White Nile 8.

MOUNTAIN DWELLERS OF THE ETHIOPIAN FOOTHILLS : KOMA AND GANZA

These two small and interesting tribes are to be found in the Ethiopian foothills, south of Khor Yabus. Their tribal affinities have yet to be established 9. By contrast with the jebel dwellers the plains play virtually no part in the lives of these folk as they tuck themselves away in remote corners in the hills.

The peaceful Koma were favourites with the slave trader and became scattered in other people's villages. Since 1922 10 they have considerably regained their identity, and are to be found living in scattered homesteads among the rocks of the forested hills. From the road the country appears quite uninhabited. They are extremely tidy cultivators growing, around their huts and in between the trees and boulders which they have not found it necessary to clear, such crops as maize, early maturing *dura,* ground nuts, sweet potatoes, spices, pumpkins, cotton, beans etc. At Daga in the south may be added bananas and pawpaws. Sometimes at a short distance from their huts they cultivate another small patch with *dura* and sesame. They appear to build neither a *hosh* around the hut, nor a *zeriba* around the fields. They are true shifting cultivators. When the land around the hut becomes exhausted they move elsewhere. This is a tse-tse region and the Koma possess no cattle, but sometimes they have a few goats and chickens. They do a great deal of fishing when Khors Yabus and Daga subside. Dried fish is stored for the *kharif.* In their fastnesses they have hardly been touched by the outside world

The shy and primitive Ganza are their neighbours amongst the hills. They are shifting cultivators and collectors. Their agricultural products and systems are similar to those of the Koma, but much of their farming seems to be communal. Beer is the normal payment for work. Edible roots, berries, and and bamboo shoots form an important part of the diet. Unlike the Koma they live in villages or hamlets. One of the most interesting features of the tribe is the hut. This has a double wall. The family live within the inner hut, while the goats, chickens, and even sheep and cattle are herded inside the outer wall for safety at night. They have been in contact with the outside world even less than the Koma.

In contrast with the Koma who appear to be recovering their identity, the Ganza are said to be declining rapidly. The people seem stunted in their growth, and a shortage of children was to be observed. The tribe is

thought to be severely affected by venereal disease 11. These two tribes are not confined to the Sudan but penetrate over the Ethiopian border.

PLAINS DWELLERS: MABAAN AND UDUK

North of the River Sobat lie the Machare Marshes, mainly fed by Khor Yabus and Khor Daga flowing from the Ethiopian foothills; and by Khor Machar, a distributary of the Baro River. The marshes are ineffectually drained to the White Nile by Khor Adar, and form the boundary zone between the agressive Nuer to the south, and the other two plains dwellers to the north, the Mabaan and the Uduk. The Uduk live nearer to the Ethiopian foothills than the Mabaan.

These two tribes are of completely different racial stock and traditions. The Mabaan are probably Nilotics, and perhaps related to the Shilluk or Dinka, and are said to have migrated to their present home from the west 12. The Uduk on the other hand have racial affinities with Ethiopia, being hill dwellers who have migrated westward. Both are mixed agriculturalists and pastoralists, with agriculture playing the more important port.

Inhabiting the northern fringes of the Machare Marshes, the main pre-occupation of the Uduk and Mabaan during the *kharif* is to find somewhere dry to live; so that their villages are to found at "dry points", elevated a few feet above the plains.

The Mabaan hut does not have a *hosh* nor are crops grown around it. Even so, they do have two plots of agricultural land. The first one is on the plains near the village, and has a strong *zeriba* round it to keep out the domestic animals. Here are grown early maturing *dura,* pumpkins, maize and gourds. The second plot is usually situated on the distant clay plains, near a permanent water supply. Here they grow *dura* and sesame. Here too is the dry season village. Movement to the this village usually takes place in January after the permanent village crops have been harvested. This is made necessary by the shortage of water. These clay plains which are a quagmire during the *kharif* are baked dry during the dry season. Movement is delayed until January by "creeping flow",13 a phenomenon caused by the flatness of the Machare Marshes which extends *kharif* flood conditions until the end of the year or after. With the start of the new rainy season the Mabaan return to their permanent village, bringing with them their harvest from the distant plains. The permanent village is frequently of long standing.

Like the Ingessana they open up a new piece of plain land by the *hariq* method. They practice a simple form of rotation with roughly four years of cropping followed by six of fallow. Frequently along *khor* beds they

can obtain two crops in succession, usually maize followed by tobacco. Other crops frequently grown in small quantities include cotton, sweet potato, and *bamia*. Most of the agriculture is communal, though each farmer has his own land. Reward for work is either meat or beer, more usually the latter.

In spite of the difficult conditions during the *kharif* the Mabaan possess a considerable variety of animals, including cattle, sheep, goats and pigs. At night during the *kharif* fires are lit to keep wild animals and insects away from the domestic animals. At this time of the year the Mabaan are crowded together on to the dry patches around the huts, making cultivation around the huts difficult. At this period both the mud and the tallness of the grass (up to 15 feet) make it difficult for the animals to graze. Sometimes grass has to be cut for them. If the water supply is short during the dry reason around the permanent village then the animals are taken away to graze elsewhere.

The Uduk way of life has many similarities to that of the Mabaan, but slight differences in environment have their repercussions. Here the countryside is more undulating and the river courses are more definite, because of the proximity to the Ethiopian foothills. They have no dry season villages because they are able to choose sites, dry during the *kharif* and adjacent to permanent water supplies. Their *bildat* cultivation is therefore not far away. The undulating countryside gives the animals greater scope for grazing during the *kharif*. If a local occurrence of cattle disease should break out, movements of animals of up to 20 miles are not unknown even during the *kharif*, though normally they are not grazed far from the village even during the dry season. Furthermore the greater mobility of their animals during the *kharif* allows the Uduk to grow crops around his hut. Generally the Uduk have fewer animals than the Mabaan, which perhaps accounts for the absence of a bride price. The Uduk have some ideas about preserving soil fertility. Along the *khors* where they wish to grow maize and tobacco, they put on a green manure. In conclusion it might be said that the "dry point" plays a part in Uduk life, not dissimilar to the jebel in that of the Ingessana and Hill Barun.

The Mabaan and Uduk add fish to their diet whenever possible, the former being keen fishermen. Both have some crafts, the Mabaan making especially pottery and basket work. Both have developed trade relations with their neighbours. The Uduk have a flourishing trade in tobacco with the Nuer and Berta, while the Mabaan normally sell significant quantites of *dura* and sesame. Boign is the chief market centre for the Mabaan and Chali for the Uduk.

CONCLUSION - FUTURE CHANGES.

The varied patterns of life portrayed by these seven tribes indicate the importance of the environment in their lives, but the differences between tribes within each group also indicate the effects of tribal custom, and each individual tribe's own distinctive adaption to its environmental conditions. Perhaps the Jum Jum and the Uduk display the interrelation of environment and traditions best. The Jum Jum have many features in their way of life in common with the other jebel dwellers, yet their traditional association with the plains is still to be seen in e.g. their having dry season villages. The Uduk, on the other hand have features in their way of life pointing to their origin in the Ethiopian foothills region. They have no dry season villages; their agricultural land is near to the village. Yet at the same time they are cultivators of the plains, and having adapted their techniques to their new environment, they portray features in their way of life not unlike those to be found among the jebel dwellers where jebel and plain form an entity.

Tribal distinctions are beginning to disappear. To date the Jum Jum have been the most notably affected. There have been till recently two main agents of change. First, political stability and security have lured the Jebel dwellers out of their hills towards the plains, and so blunted the edge of the old animosities and suspicions. Secondly the motor lorry has had far-reaching effects. It is replacing barter by the money economy; bringing in commodities and ideas from outside; and drawing into friendly contact peoples of very different tribal traditions.

The digging of *hafirs* by the Department of Land Use and Rural Water Supplies has brought better water supplies to several localities in this area. The *hafir* built at Banjeila in the Mabaan country has made it unnecessary for these folk to move to a dry season village. Further stability of population may well result elsewhere and formerly neglected areas may come under cultivation, as has already occurred in the Dinka country to the west.

The building of the Roseires Dam and the Kenana Extension irrigation project will greatly affect the Ingessana, even if they only become labourers and not tenants in the scheme.

When the proposed extension of the Roseires railway line southwards to Malakal and beyond is undertaken incalculable changes will take place in this area which will affect both the Jebel and plain dwellers through whose country it will pass, particularly if it should be followed by schemes for mechanised agriculture.

A further factor will encourage development once adequate water

supplies and communications are provided. This is the relative reliability of the rainfall in this area for crop production. Most of the reports of famine in this area are not due to lack of rainfall so much as to the overselling of grain by the people early in the season without keeping sufficient for their needs should the yield fall below average.

Of all the seven tribes discussed in this paper only the Koma and the Ganza appear likely to remain undisturbed by economic changes in the future. Yet even here a bridge over Khor Yabus could rapidly change the situation. What is at present one of the least developed parts of the Sudan may soon take a more prominent place in the country's economy.

TABLE I.

ESTIMATED POPULATION OF THE INGESSANA, HILL BARUN, JUM JUM, KOMA, GANZA, MABAAN AND UDUK (MID-1950's)

TRIBE	POPULATION	SOURCE
1. Jebel Dwellers :		
Ingessana	31,250	Census, December 1955.
Hill Barun	6,000	Estimate based on Census. Not enumerated separately.
Jum Jum	2,000	— ditto —
2. Ethiopian Foothills :		
Koma 1	2,000	— ditto —
Ganza 1	500	S. I. Mission estimate.
3. Plains' Dwellers :		
Mabaan	25,000	As Hill Barun above.
Uduk	8,000	Estimate based on Census. Enumerated separately at Census, but result unsatisfactory.

1 Numbers in Sudan only.

NOTES

1. Cf. Khartoum, 38%. In India with somewhat similar climatic conditions a mean annual variability of less than 18% - 20% is considered a reliable rainfall condition.

2. Gleichen, Count, *The Anglo-Egyptian Sudan : a compendium prepared by officers of the Sudan Government* (1905), Vol. I, p. 122. Records that the Ingessana were pleased at the arrival of the Government as they would no longer be harried by slave traders.

3. I have seen Ingessana and Rufa'a el Hoi Arabs watering their animals together at Khor Doleib, a far cry from the old animosity.

4. Dried *bamia.*

5. The Sudan Interior Mission has a station at Wadega.

6. When I visited Jebel Wadega, the first jebel to be vacated, in 1958 the huts in the abandoned village were still in good repair.

7. The Jum Jum still demand a bride price, but marriage frequently takes place without it.

8 It is a moot point whether they did or did not. An alternative suggestion is that they are a heavily Niloticised indigenous group.

9. Corfield suggests that the Uduk and Ganza are closely related, but I understand that their languages are very different. However Forsberg says that according to Uduk tradition they came from the hills south of Khor Yabus, part of which area is now occupied by the Ganza. Corfield, F.D., "The Koma", *Sudan Notes and Records,* 21 (1938) p. 129. Forsberg, M. : Information communicated.

10. Slave trading continued over the Ethiopian border until at least 1922.

11. Forsberg writes, "A prominent feature of Koma and Ganza life is marriage by exchange or *bidal.* If a man wishes to marry a certain young lady, he must provide a sister or close female relative as bride for his bride's brother or near relative. If one of the marriages so consummated ends in separation, the other marriage must also break up as the man who lost his wife or sent her away must have his sister back to use in making arrangements for the new wife he will seek".

12. They seem to be closer to the Shilluk than Dinka. The Shilluk claim that the Mabaan are part of them.

13. For "creeping flow" in the Machare Marshes, see *The Equatorial Nile Project,* Report of the Jonglei Investigation Team, (1954), Vol. III, pp. 971-984.

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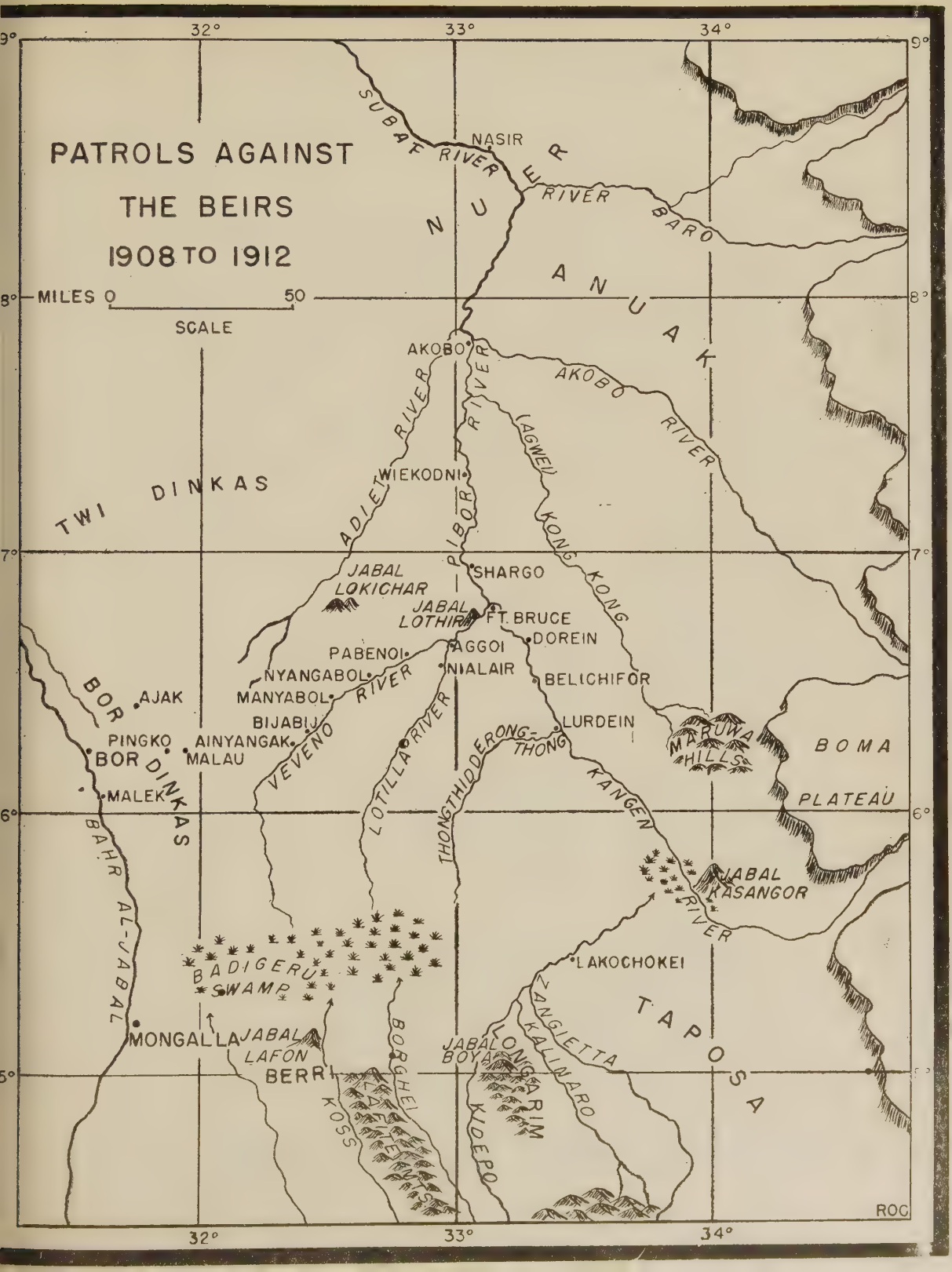
ACKNOWLEDGEMENTS.

The author would like to take this opportunity of thanking the many government officials and missionaries who gave of their precious time very willingly. Especially would he like to mention Mr. M. Forsberg and Mr. N. Nunn, who arranged for him to stay at various Sudan Interior Mission stations; and the official interpreter at Bau Court.


PATROLS AGAINST
THE BEIRS
1908 TO 1912
MILES 0 50
SCALE
32°
33°
34°
9°
8°
7°
6°
5°
SUBAT RIVER
NASIR
NUER
RIVER
BARO
ANUAK
AKOBO
AKOBO RIVER
ADIET RIVER
PIBOR RIVER
(AGWEI) KONG KONG
WIEKODNI
TWI DINKAS
JABAL LOKICHAR
SHARGO
JABAL LOTHIR
FT. BRUCE
DOREIN
AGGOI
NIALAIR
PABENOI
NYANGABOL
MANYABOL
BELICHIFOR
BOR
AJAK
BIJABIJ
VEVENO RIVER
LOTILLA RIVER
LURDEIN
PINGKO
AINYANGAK
MALAU
BOR DINKAS
MALEK
THONGTHIDDERONG-THONG
KANGEN
MARUWA HILLS
BOMA PLATEAU
BAHR AL-JABAL
JABAL KASANGOR
BADIGERU SWAMP
LAKOCHOKEI
MONGALLA
JABAL LAFON
BERRI
BORGHEL
KOSS
JABAL BOYA
LONGARIM
KIDEPO
ZANGIETTA
KALLNARO
TAPOSA
ROC

PATROLS AGAINST THE BEIRS[1]

by

ROBERT O. COLLINS

During the early years of the Anglo-Egyptian occupation of the Southern Sudan, the most important problem facing the Sudan Government in the South was the establishment of peace upon which a sound and beneficent administration could be built. The Southern Sudan had never before known a peaceful era. Warfare and violence were deep-rooted and traditional among the tribes of the Southern Sudan. Intertribal fighting had been habitual long before the disruptive influence of the slave traders and administrators of the Turkiya hastened the dissolution of ordered society. Even the Mahdists, whose authority in the South was limited to the valley of the Bahr al-Jabal, carried on the tradition of belligerent disorder as their raiding parties created confusion and disintegration among many of the tribes. The past experiences of the Turkiya and the Mahdiya had taught the tribes of the Southern Sudan to regard all intruders with open hostility or at best with passive and uncooperative enmity. At the same time the long, complex, and embittered rivalries established warfare and violence as the customary relationship among these tribes. Thus the primary task of the early British administrators was to persuade them by tactful promises of rewards, appeals to self-interest, and even the use of armed force to give up their anarchical freedom in return for a stable government. And in no case were the difficulties of this task more clearly represented than in the pacification of the Beirs.

The Beir are a section of the Didinga-speaking group of tribes which include, beside the Beir themselves, the Didinga, the Longarim, the Murle, and the Nikoroman of Abyssinia. This family is linked together by linguistic similarities, and according to Mr. J.H. Driberg are related in the following manner :

> The Didinga, Longarim, Beir, and Murle are one people with slight dialectical differences of language and with greater cultural differences due to environment and to a greater admixture with neighbouring tribes; but they undoubtedly remain the same people and should be grouped as the constituents of one undivided tribe. 2

Although anthropologists regard the Didinga, Longarim, Beir, and Murle as parts of a single family, so widespread and isolated had the members

become that from the point of view of the British administrator each section was regarded as a single tribal unit. And it was the Beirs specifically which the Sudan Government was first called upon to pacify and administer in the early years of British administration in the Southern Sudan.

The Beir are a cattle-owning tribe whose existence, like that of their Nilotic neighbours, is largely governed by the need of their herds.3 Such herds are numerous, bridewealth being paid in cattle, and the time and effort devoted to cattle indicate the predominant role that animal plays in the life of the Beir. 4 The staple food of the Beir has been the traditional milk and blood supplemented by game and fish speared or trapped. A little cultivation of grain, undertaken on small plots near the river, is usually tended by the few aged people unfit to move about. 5 During the dry season, October to March, the herds are moved more or less continuously, the Beir building temporary grass shelters for their dry-season camps. In the rains a permanent or wet-season village is occupied, consisting of rudely constructed huts of grass laid on a dome-shaped framework of branches. A porch is usually added at right angles, and a small emergency exit is strategically located in the wall of the hut. 6

The Beir warrior generally possesses a good physique and, like the Shilluk, is distinguished by his hair flattened like a pork-pie hat and frequently ornamented with beads of ostrich feathers. "Most of the men were entirely naked; some, however, wore an apron of tanned hide behind; the majority wore a species of chest protector of skin with the hair outwards suspended round the neck. Two centre incisors of the lower jaw are drawn and many men wear a small cylindrical piece of bone about two inches in length through a hole between the lower lip and the chin".7 The wealthiest men also wore on the upper left arm a plaited leather armlet decorated with cowrie shells from which hung a bunch of giraffe tails.

The Beir worship a god called Tummu, who is associated with the sky. They do not bury their dead, merely placing them on the ground some distance from the village. 8 Their most notable cultural feature was an artistic sense evidenced by their personal adornments and household implements. The beautifully moulded earthenware jars with delicately worked handles were in striking contrast to the usual low standard of pottery made by the tribes of the Sudan. 9 Comprising in 1918 some 10,000 people, the Beirs were divided into six sections. 10 The strongest and most powerful group was the Ngarros (Gnarrotm) situated in the vicinity of the Lotilla River and numbering 4500 individuals with nearly the same amount of cattle. The Tong Ajol section, who lived along the Pibor from the Kangen junction north to the Anuak country,

numbered 2800 people with nearly 2000 head of cattle. The remaining sections of the Beirs on the Kangen and Veveno Rivers, the Maruwa Hills, and the Boma Plateau were considerably smaller, numbering only around 1000 members each with comparable quantities of cattle. 11.

According to tradition the Beir originally came from the Boma Plateau, migrating many generations ago down on to the lowlands of the upper Pibor and driving the Dinka from the country. 12 This was undoubtedly the beginning of Dinka-Beir hostility. The Dinka, on the one hand, continually thirsted for revenge, while the more warlike and belligerent Beir, on the other, continued to exert their supremacy by successful raids into the Dinka country. The most recent Beir raids had been brought about, it was reported, during the Turkiya when a party of *jallaba* raided the Dinka at Bor. A party of Dinkas, led by Chief Yot, fled to the Beirs for safety and were hospitably received by them. Chief Yot and his Dinka followers remained with the Beirs for six or eight years, after which secret messengers were sent by the chief to his tribe exhorting them to come and raid the Beir who were rich in cattle. This the Dinka did, killing many Beir and taking their cattle.13 From that time on the Beir raided the Dinka with regularity, spreading unrest and disorder among the Dinka and making effective administration by the Sudan Government impossible.

The Sudan Government had established administrative posts in the Southern Sudan during the first decade of the twentieth century primarily to frustrate Congolese pretensions to the Bahr al-Ghazal. A way to the Sudan had first been cleared through the sudd-choked channels of the Bahr al-Jabal and the Bahr al-Ghazal Rivers and administrators and troops soon followed. Kiro Post was erected in the autumn of 1900, but was subsequently abandoned the following spring in favor of Mongalla, situated on the east bank some twenty miles north of Lado. At first Mongalla was used primarily as a post of observation and reconnaissance of the Congolese activities in the Lado Enclave, but soon successful attempts were made to establish Government administration over the neighboring tribes. A military post was erected near Bor, at first to provide wood for the steamers; but on 1 January 1906 when Mongalla became a separate province, Bor military post was abandoned and the station removed to Bor village, where the headquarters of the newly-created administrative district was established. The purpose of this district was to administer more closely the Bor Dinkas, whose villages surrounded the station on the north, east, and south. The British Inspector at Bor, Bimbashi A.W. Jennings-Bramley, soon won the confidence of the Dinka by touring their territory, visiting the chiefs, and settling cases and disputes. 14.

During his tours through the Dinka country Jennings-Bramley learned of the Beir raids which, since the flight of the Mahdists from Bor early in 1899, had become annual forages for Dinka women and cattle.

As early as January 1904 the Sudan Government had made an attempt to investigate the Beir raids. At that time Borton Bey and twelve men of the Xth Sudanese had visited the scene of a raid which had taken place in December 1903, but there was little he could do except urge the Dinka to concentrate themselves around their kraals during the dry season when the Beir raids were most likely.15 The Dinkas by making no defensive arrangements and by living in widely separated *tukls* simply invited the raiders to attack and loot them. The raids continued, and quite naturally the Dinka complained to Jennings-Bramley when Bor was actually made into an administrative district in 1906. In July 1906 the Dinka chief, Kur, appealed to Bor for five policemen to protect him from Beir raiders who had attacked an outlying Dinka settlement earlier in the month. Jennings-Bramley dismissed the request with the logical reasoning that no raid could be very formidable "which five rifles are sufficient to stop."16 Although the Beir raid of July was officially described as "insignificant", the end of the rains in November brought new and more violent ones to the Dinka country. On 23 November 1906 a party of Beirs raided the Dinkas, killing several and capturing women and children. This time the government was ready. Bimbashi Jennings-Bramley, Governor Cameron, and some thirty men of the police *jihadiya,* and the XIIth Sudanese hotly pursued the Beirs who quickly abandoned any thoughts of further raids and retired at once to their own territory. 17 Although no enemy had been engaged, the Dinkas were so encouraged and impressed with the swift action of the administration that they readily acceded to the introduction of a hut tax in the Bor District. "The readiness with which all paid the tax and the good feeling towards Government evinced by even the remoter Dinkas near the Twi borders" were largely the result of the government's action against the Beir raiders. 18.

But the counteraction against the Beir raiders in December 1906 did not guarantee the cessation of future raids. On 15 May 1907 another outlying Dinka settlement was raided, the Beirs attacking at night and killing sixteen persons. 19 This raid was followed by another on 7 June, but the Dinka, forewarned of the impending assault, were able to assemble and drive off the Beirs. Soon afterwards the route to the Beir country became impassable, and the raids were suspended until the next dry season. 20 On 23 November 1907 a strong party of Beirs, numbering about fifty warriors, suddenly appeared again near a Dinka village, but hesitated to attack, for by chance the Dinka

had gathered in strength. The *ma'mur* at Bor, who happened to be in the village on tour, pursued the Beir, who scattered and vanished into the grass.21 The same day, however, a large force of same 200 Beir assaulted Chief Kur's village thirty miles to the south. Savage hand-to-hand fighting ensued in which the Dinka, being continually reinforced from surrounding villages, finally overwhelmed the Beir and drove them off. But forty-eight Dinkas had been killed in the attack, and "the Beir behaved with the greatest brutality, killing indiscriminately. One young girl had a hand and a foot hacked off for the sake of some iron and brass bracelets she wore, and small children were speared when found an encumbrance to the flight." 22 The Beir lost some fifteen killed.

The assaults of November 1907 were clearly unsettling to the Dinka and virtually forced the government to take punitive measures against the Beirs. So terrified had the Dinkas become that, in spite of superior numbers, they absolutely refused to pursue the raiders unless accompanied by government police. 23 Through fear no Dinka would consider approaching a Beir, and much to the relief of the Dinka chiefs the Government refused to permit any retaliatory raids against the Beirs on the grounds that having taken taxes from the Dinkas, telling them that the Government would always look after their interests and give them protection against raids, it was essential for the Government to inflict the punishment so as not to lose prestige among the Dinkas or undermine the position of the administration. 24 As it was, the prestige of the Government had been called into question by the continuous and successful raids of the Beirs, and it was only the administration's promises of a punitive patrol in the immediate future that calmed Dinka fears.

As early as December 1907 Qa'immaqam Angus Cameron, the Governor of Mongalla Province, judged that a punitive expedition against the Beirs was imperative and began collecting information and arranging for a reconnaissance of the route to the Beir country. As a temporary measure a police post was erected east of Bor near the Dinka frontier, but it was later withdrawn when the dry season had sufficiently advanced to preclude Beir raids until May or June. 25 Throughout January and February 1908 no raids occurred in the Dinka country, but numerous reports reached Bor that Beir camps had been seen only a few hours' march from the outlying Dinka settlements and rumours were rife that the Beirs were organizing large-scale raids. 26 The authorities in Khartoum therefore decided in April to send a strong punitive patrol into the Beir country in early June 1908 before the country was totally inundated by the rains. 27

The country of the Beirs was, at that time, quite unknown

Consisting of a large, flat plain or basin it is bounded by the Abyssinian escarpment on the east, the Boma Plateau to the southeast, the Lafit Mountains to the South, and on the west by the almost indistinguishable height of land demarcating the watersheds of the Bahr al-Jabal and the Pibor. The monotonous flatness of the plain is broken only by Jabal Lothir situated twelve miles southwest of the junction of the Kangen and the Pibor Rivers and rising to a height of 500 feet. Further to the west are two smaller jabals called Lokichar, but except for these solitary hills the land stretches in every direction unbroken and level as far as the eye can see. The plain itself is traversed by a number of streams which meander through the grasslands in the rainy season only to vanish in the dry. The Veveno and the Lotilla Rivers, arising from the shapeless Badigeru swamp northeast of Mongalla, flow in a northeasterly direction to join south of Jabal Lothir to form the Pibor. In the dry season both the Veveno and the Lotilla dry up being "only distinguishable ... by the greener appearance of the grass and by occasional pools". 28 In the rains both rivers, particularly upstream, are ill-defined from the vast expanse of swampy grassland under water. Some twenty-five miles downstream from the juncture of the Veveno and the Lotilla the Kangen River joins the Pibor. Rising to the southeast in the swamps at the base of the Boma Plateau, the Kangen, like the Veveno and the Lotilla, disappears during the dry season leaving only a waterlogged grass bed. Its banks are hardly perceptible and in the rains the river is only part of a wide swamp flood plain. Two other rivers, the Adiet and the Kong Kong (called Agwei by the Anuaks), to the west and east respectively of the Pibor, flow northward through the grassy plain into the Pibor near Akoba in Anuak territory. The Adiet, like the other rivers of the Beir country, dries up after the rains, but the Kong Kong in its lower reaches in the Anuak country carries water the year around between well-defined banks. The most striking feature of the Beir country is the contrast between the two seasons. During the rains vast stretches of the countryside are waterlogged, grassy swamps, while six months later the rivers dry up, even the Pibor, and there is a serious water shortage. 29 This difference between wet and dry seasons is sufficient reason alone to account for the pastoral life of the Beir who herd their cattle first away from too much water and then in search of it.

In 1908 the Sudan Government knew little about the Beir. General Gordon is supposed to have steamed up the Pibor as far as Jabal Lothir, but until 1898 there is no record of any other European, Turk, or even Mahdist having ever penetrated into the Beir country. 30 In that year, 1898, a large Abyssinian expedition under the command of Dedjaz Tessama was sent down the Sobat to its junction with the White Nile to secure Menelik's claim to the right bank of the Upper Nile. Although the expedition failed to secure such

a claim, M. Faivre, a French officer accompanying the expedition, followed the course of the Pibor some sixty miles upstream beyond Akobo junction to the fringe of the Beir country. 31 Both Major Austin, exploring the Abyssinian-Sudan frontier in 1901, and Messrs. Bulpett and Jessen, who visited the Boma Plateau in 1904, brought back additional, though scanty, information on the Beir country. Several attempts had been hade by the Anglo-Egyptian authorities in 1898 and 1901 to ascend the Pibor, but each attempt had to turn back before reaching the Beir country because of sudd obstructions in the river. 32 In September 1904 Bimbashi D. C. Comyn ascended the Pibor for 170 miles beyond Akobo junction. He visited several Beir villages, in spite of an unco-operative reception by the inhabitants, but obtained little information beyond his own observations. Passing Jabal Lothir, the farthest point reached was the pools of Ainyangak some sixty or seventy miles east of Bor on what was actually the River Veveno, before "increasing shallowness and thick grass made further progress impossible". 33 No further attempts were made to reach the Beir country until March, 1908 when R.C.R. Owen, Governor of Mongalla Province, made a reconnaissance of the road leading east from Bor toward Beir territory. Leaving Bor on 18 March Owen, accompanied by Bimbashi P. M. Dove, Inspector Mongalla, and twenty riflemen, marched eastward to Malau before returning on the 23rd. Little information was obtained regarding the Beirs themselves, but the doute as far as Malau was fully reconnoitred and good waterholes observed and noted. 34 Owen recommended that a patrol of 200 men be sent into the Beir country at the end of May or early June. At that time the rains would have begun, providing sufficient water for the troops and the transport animals, yet the season would not be so advanced as to flood the proposed route of march. Furthermore, "to deal a blow that will leave any effect and will teach them [the Beirs] the power of the Government their cattle must be seized, and to do this effectively, a considerable portion of the force must be mounted, as the Beirs on the first approach of a patrol will drive off theircattle." 35 Pingko, a waterhole five miles west of Malau where fuel, water, and game were plentiful, was chosen as the advanced base of the patrol against the Beirs.

The Beir Patrol left Khartoum on 15 May 1908 and consisted of one company XIth Sudanese, a section of Mounted Infantry, and two Rexer guns, all under the command of Qa'immaqam J.S. Wood-Martin Bey. The patrol was to disembark at Bor and, operating from the advanced base at Pingko, march into the Beir country "to punish the Beir tribe for their annual raids on the Bor Dinkas". 36 If possible the Beirs were to be brought to terms by negotiation rather than war, and the Governor-General, Sir Francis Wingate, particularly urged that every effort be made to avoid bloodshed. If the Beirs

refused to come to terms by negotiation Wood-Martin was instructed to punish them "by capturing as many cattle as possible". 37 Above all : "They must be punished and made to feel it; and to realise once for all that they cannot raid another tribe with impunity". 38

Advancing from Bor to Pingko and then, from this forward post, on into the Beir country, the patrol reached the pools at Ainyangak on 5 June and, marching down the river past Manyabol, attacked Nyangabol at dawn on the 7th. 39 The Beir were routed, fleeing into the grass, and over 1100 head of cattle were captured. But the victory was not complete, for Wood-Martin was compelled to withdraw his forces from Nyongabol without pursuing the Beir. The need to escort the captured cattle as well as the injured, including Bimbashi J. Ryan who had been wounded in the abdomen by a spear, left an insufficient number of troops to follow up the Beirs.40 Therefore, returning to Ainyangak Wood-Martin left there sixty-two men of the XIth Sudanese and fourteen Mounted Infantry under Bimbashi Wilson, and with Bimbashi Ryan, the cattle, and the remainder of the men marched off to Pingko. At Pingko Wood-Martin left the artillery and the sick and wounded to go on to Bor and, after collecting sufficient supplies to keep the Beir Patrol in the field for twelve more days, returned at once to Ainyangak. 44 From Ainyangak the patrol again proceeded into the Beir country but in the interim the countryside had become considerably more flooded, and after several days of very heavy going, the patrol was forced to return to Bor. The rains had turned the whole country into a veritable bog making further operations against the Beir impossible. 42 The patrol left Bor on 2 July on board a steamer for Khartoum.

In spite of the capture of a considerable number of cattle the Beir Patrol of 1908 was a failure. The inability to bring the Beir to terms, in spite of the loss of their cattle, and the failure to erect at least a temporary post in the Beir country virtually invited the Beir to retaliate against what was to them a large Government raid on their herds. It was indeed visionary to believe that the Beir would come to Bor to seek peace marely because a punitive patrol had spent several days marching through their country, seizing their cattle, and killing an occasional tribesman. Indeed the loss of their cattle spurred on the Beirs to make more frequent and more violent raids against the Dinka in order to recoup their losses to the Government troops. At the end of February 1909 the Beirs attacked a Dinka village, killing five men and a woman and carrying off children and cattle.43 Additional raids were anticipated, but as the rains suddenly came a month earlier than usual that year, the route to the Beir country was closed before any more raids could be carried out.

The following dry season however brought the Beirs once more into the Dinka country. In December 1909 a Dinka village two days' march east of Malek was raided by the Beirs, who killed eighteen and captured cattle and women and children. The police from Bor were immediately posted in the raided village with orders to patrol the surrounding countryside. 44 Such measures, although temporary, appear to have had the desired affect for the Beir did not strike again until July 1910. This time they raided the village of Ajak, killing several and taking cattle and prisoners. Another raid was attempted on the following day, but the Beirs were seen and the defenders assembled in large enough numbers to prevent the attack. 45 The Beirs, having been discovered, did not remain but retired to their own country burning the grass behind them to prevent pursuit and to wipe out their trails. 46 But there was no doubt in the minds of either the government officials or the Dinka that the Beirs would return. To bolster Dinka morale the Governor ordered police posts to be established east of Bor from which troops could patrol the countryside. At best such measures were temporary, and it was ominously noted in the provincial reports that "these Beirs will have to be dealt with sooner or later, as the Dinkas have paid tribute loyally for some years now and expect protection". 47

As everyone had expected the Beirs soon returned. On 18 November 1910 they again raided the Dinkas near Ajak, killing twenty and seizing cattle and women. 48 In February 1911 the Beirs struck again, this time attacking a police patrol returning to its post after pursuing a party of raiders. 49 More raids followed. On 9 February a large party of Beirs sacked a Dinka village killing thirty-two of the inhabitants and capturing twenty-seven as well as a considerable number of cattle. 50 The administration at Mongalla had been long aware that measures had to be taken to protect the Dinka. As early as January 1910 R.C.R. Owen had proposed to the Civil Secretary that a second punitive expedition be sent into the Beir country. In November he repeated his request that "punitive measures be taken against the Beirs this season," for "these Beir raids are becoming frequent and are very serious". 15 It was unjust, Owen argued, for the administration to collect taxes from the Dinka, which in 1910 amounted to £600 per annum, without "defending them and loyally assisting them as Government subjects". 52

> "If these Beir raids are allowed to go on without the Government retaliating and taking steps to stop them, the loss of prestige and confidence in the Government will be great and will extend to the Twi Dinkas and Nuers on that side of the Nile and to the Aliab Dinkas on the West." 53

Unfortunately, there was little that the Government could do that year. Sir Reginald Wingate, the Governor-General, telegraphed personally to Owen regretting that he could not "possibly manage a patrol this year much as I should like to meet your wishes. I have no funds whatever available nor are there sufficient troops to spare for an occupation of their [Beir] country for a considerable period which would be necessary."54 Wingate fully sympathized with the plight of the Dinkas and requested Owen to advise defensive measures and even suggested a "remission of taxes for such localities as suffer from Beir raids" 55, Owen telegraphed back the same day urging that thirty Mounted Infantry be stationed at Pingko and additional police posts be established on the Dinka frontier until a punitive patrol could take place. 56 Wingate approved of these temporary measures, and on February 1911 a military post with two officers and fifty men of the XIVth Sudanese was established at Pingko where they remained until July when all but ten of the troops were withdrawn because of the flooded state of the countryside. 57

Although such measures were proof of the Government's sincerity and interest in protecting the Bor Dinka, their effectiveness at preventing Beir raids was strictly limited. The police posts were of little use against the fast-moving raiders who struck without warning, vanishing as quickly as they had come. As of April 1911 Beir raiders had killed since December 1909 over 100 Dinkas and wounded over sixty. Many others had been captured by the Beir, who had also driven off large numbers of Dinka cattle. 58 There was no doubt, at least in the minds of the British officers at Mongalla, that it would be necessary very soon "to take some steps to prevent these depredations on tribes who look to the Sudan Government for protection and who pay taxes". 59

Throughout the summer and early autumn of 1911 information was continually being received at Mongalla that the Beirs were organising big raids on the Dinka to take place as soon as the flood waters receded enough to let them march into the Dinka country. To defend the Dinka a company of XIVth Sudanese under Bimbashi L. Tumard was sent to the frontier in September to be followed by a second company two months later. 60 The prospect of more raids by the Beirs however quickly forced the government to take more positive action than simply sending troops to the Dinka frontier. In October it was at last decided to send a strong patrol into the Beir country after the rains. Until that time the company of XIVth Sudanese under Bimbashi Tumard would hold the frontier, but the second company, which was to be sent as reinforcements in November, was to wait and accompany the patrol planned for the coming winter. 61 In the meantime additional steps were taken to gather further information on the Beirs and their country.

Major Darley, an elephant hunter who had left Mongalla in July for the Abyssinian frontier, sent back information on the Beirs as he skirted their country in his march eastward. 62 In October another reconnaissance up the Pibor in a gunboat was attempted by Bimbashi F.A. Dickinson and fifty men of the XIIIth Sudanese, and although the party steamed 120 miles up the Pibor, the river was too shallow to proceed and consequently returned to Taufikia without having seen a Beir or collected much information. 63

In his proposal of January 1910 for a Beir Patrol Owen had advised that any advance into the Beir country should be made in three columns marching from the north, the south, and the west respectively. 64 The southern column was to proceed from Mongalla eastward to Jabal Lafon and thence down the river which "runs through the centre of - and is the only water supply of - the Beirs in the dry months". 65 Advancing northward into the Beir country the southern column was to rendezvous at Nyangabol with the western column which had marched overland from Bor. The combined columns were then to march north to join a third, the northern column, which was to advance up the Pibor by steamer and then march overland to the place of rendezvous, Jabal Lokichar. 66

Owen's basic plan of operations was subsequently approved, and the overall command of the three columns was given to Qa'immaqam Dark Bey. Three columns of troops were duly assembled by January 1912 : a Northern Column under the command of Bimbashi Dickinson, a Central Column under the command of Drake Bey himself, and a Southern Column under the command of Qa'immaqam Arden Bey with R.C.R. Owen, the Governor of Mongalla, acting as Political Officer. By 4 January 1912 the main striking force of the Beir Patrol, the Central Column, had assembled at Pingko and after collecting some 1600 Dinka carriers advanced eastward toward the Veveno River. Although the lack of water and scarcity of shade made the march a most difficult one, the column reached the pools of Ainyangak on 9 January and continued downstream to Manyabol on the following day. At Manyabol the column halted to rest and refit, for here was found the first good water since leaving Pingko. No Beirs had yet been met though a Dinka straggler was wounded by Beir spearmen. On 14 January a flying column marched through the night to surprise the village of Nyangabol, but upon surrounding the village at dawn, it was found to be deserted. The only prisoner was a mad cow "which charged an M.I. (Mounted Infantry) mule, killing it on the spot".67 That night the Beirs launched a spirited attack upon the *zariba* in which the column was camped but were thrown back in confusion when the four sides of the *zariba* were brilliantly illuminated by powerful

searchlights situated at each corner. Undaunted, the Beirs tried again to break into the square but again were driven back by successive volleys sweeping across the brightly lighted ground before the *zariba*. The patrol remained several days at Nyangabol during which the Mounted Infantry roamed the surrounding countryside, searching for signs of the Northern Column and capturing cattle from stray parties of Beirs. Having made no contact with the Northern Column, Drake Bey ordered his troops across the Veveno to the village of Nialair on the Lotilla River. Here the Beir resisted but were easily driven off. Occupying Nialair the column advanced a short distance further to Aggoi where the water supply was more adequate and of better quality. Here a *zariba* was constructed and the column settled down to await the supplies being brought from Bor and news of the Northern Column. 68

On 19 January a patrol of Mounted Infantry made contact with the Northern Column which joined the Central Column at Aggoi on the same day Advancing up the Pibor the Northern Column had encountered the Tong Ajol section of the Beirs led by Chief Baz Chamehore who, after a small skirmish, had ostensibly submitted. Their failure however to relinquish the fifty cows demanded by the Political Officer of the Northern Column, Bimbashi Wauhope, left the sincerity of their submission somewhat in doubt. The matter however was left temporarily in abeyance, for at a council of war held on 20 January, it was agreed that little had been accomplished thus far and that if the Southern Column did not arrive within the next three days, the combined forces of the Northern and Central Columns would sweep up the valley of the Kangen where the Beir had reportedly driven their cattle. 69

While the Northern and Central Columns of the patrol had penetrated deep into the heart of the Beir country, the Southern Column had yet to reach the Beir frontier. On 5 January 1912 the Southern Column had assembled at Jabal Lafon under the command of Qa'immaqam J.H. Arden Bey. 70 Although the Berri tribe, which inhabited Jabal Lafon, proved truculent and unwilling to supply the required number of carriers, the column could delay no longer and so began their march eastward in spite of insufficient transport. 71 Arriving at the River Borghei (Dira), the column found only a few shallow pools from which to obtain water and so quickly pushed on to the east. Leaving the Borghei on the 10 January, crossing the Kidepo, which was dry, and marching to the wells near Jabal Boya, the column camped here and made friendly contact with the Longarim. 72 The Longarim were members of the Didinga-speaking family, but although akin to the Didinga, they carried on a constant feud with them. The Longarim welcomed the arrival of the government troops and provided guides and supplies for the column in the hope that the troops would become embroiled

with their bitter enemies to the east, the Taposa. The Taposa had, over the years, steadily encroached upon the Longarim, pushing them westward from the plain of the Zangietta back into the Boya Hills. 73 On 12 January, guided by some thirty or forty Longarim the patrol marched eastward to the Kalinaro River, the frontier between the Longarim and the Taposa. Leaving the Longarim at the Kalinaro, the patrol crossed into the Taposa country on the following day and advanced four or five miles before halting in front of a large body of Taposa warriors drawn up in three battle divisions. Owen himself succinctly described the meeting between the Taposa and the government forces :

> "I sent forward our Karakara [a Taposan captured by the Mounted Infantry the day before] telling him to explain the reasons for our coming and that we had no hostile intentions. As soon as I saw he had reached a group of 10 to 15 men slightly in advance of the main portion of the Karakara, I left the Column and with two or three police and with the British and Egyptian Flags flying advanced towards those few Karakara with whom our guide was now conversing. When I was within 200 yards of them they began to retire and for a moment my heart failed me and I wondered if it was worth the risk of going forward. However it was impossible to go back, so thinking I could get into personal communication with them if I went forward alone, and leaving my police and flags I walked toward them with Ajibba [a Beir who was living at Jabal Lafon and who agreed to act as interpreter for the column] and the Gollywog [a nickname for a Taposan interpreter accompanying the column]. The Karakara backed away from me at first but after signing to them in a friendly way as I advanced, one or two of them halted and let me come up to them when Ajibba explained matters to them. Others very soon joined us and we had quite a cheery conversation". 74

Friendly relations having been established, the Taposa warriors escorted the government column to Chief Tuliabourg, head of the Riwoto Section of the Taposa. Presents were exchanged and Owen explained his wish to march to the Beir country. Tuliabourg, after being given more gifts of wire and cloth, informed the British officers that to the east was a "river of running water," the course of which if followed downstream would lead one to the Beir country. 75

Proceeding eastward the column reached the Zangietta on 15

January but found it dry, water being obtained only from wells dug twenty to thirty feet into the river bed. Still searching for the "river of running water," the column continued in a northeasterly direction more or less parallel to the river. Reaching the village of Lakochokei on the 16th the Taposans, although not unfriendly, refused to part with grain or livestock. Here water was again only obtainable from wells dug in the bed of the Zangietta, but there was no doubt that further on water would become increasingly difficult to find. Although the rivers east of Mongalla normally dry up in April or March, the severe drought of that year advanced the waterless period to January. In an ordinary year the Southern Column would have undoubtedly found ample supplies of water along the route of march, but by 18 January, the day when all the columns were to have foregathered in the Beir country, the Southern Column was still some forty or fifty miles southwest of Jabal Kasangor with no water to proceed further.76 As it feared to advance without knowing where to obtain water, a reconnaissance patrol of Mounted Infantry under the command of Bimbashi Elgee was sent forward on 19 January in the direction of Jabal Kasangor to search for the "river of running water" or pools or wells which could be used to supply the column. Two days later the patrol returned to report that although they had marched halfway to Jabal Kasangor no water was found ahead. Bitterly disappointed the men of the Southern Column "most reluctantly were compelled to turn back and give up our hopes of reaching the long looked for river of running water which was to take us to Lom's [a Beir Chief] country. It was extremely disappointing and more especially so as we had to retrace our steps along the same route by which we had come and very probably water would be in still smaller quantities than during our advance". 77

Returning rapidly through the Taposa country to the camp on the Kalinaro, the column pushed on to the River Borghei where there was barely enough water to supply the men. By 30 January the column had reached the Lafit Mountains and on the following day reached the base camp at Jabal Lafon. Here the inhabitants proved more hostile than when the column had departed, refusing supplies and carriers. Exhausted and exasperated at the failure of the patrol to reach the Beir conutry, Owen Bey had no patience with the belligerent and unco-operative attitude of the Lafon people and consequently ordered punitive measures to be taken. On 3 February the warriors assembled in battle formation, taunting the troops and daring them to fight. With undoubted satisfaction Owen gave the order to advance and within a few hours the tribesmen had been swept from the jabal with heavy losses and had surrendered to the Government. Henceforward there was no question of supplies or carriers, and on 10 February the last of the Southern

Column reached Mongalla.

There was no doubt that the Southern Column of the Beir Patrol had been a failure. Its failure "was due solely and entirely to the exceptional state of the country owing to the drought. No rain of any consequence had fallen since July, August, and September and well on into October [1911]. Every river was dried up with only a few scattered water pools". 78 Although the Beir country had not been reached nor a junction made with the other forces, the Southern Column did however reconnoitre territory hitherto unexplored by the Sudan Government and known to only a few travellers and elephant hunters like Major Darley. Unfortunately, the information gathered by the patrol did little to solve the fundamental riddle of where all the rivers, like the Borghei, the Kidepo, and the Zangietta flowed or where they terminated. Furthermore, the failure of the government to follow up the friendly relations established with the Longarim and the Taposa with some sort of administrative control let slip an opportunity to bring these tribes within the sphere of government that was not to return for well over a decade.

While the Southern column of the Beir Patrol was struggling to traverse the desiccated country between Mongalla and the Beir country, the two other columns had already swept the plains of the Veveno and Lotilla Rivers of the Beirs and their cattle and were poised at Nialair and Aggoi only awaiting news of the Southern Column before marching down the valley of the Kangen River. But no news arrived. Consequently, on 23 January the Central and the Northern Columns advanced up the west and east banks of the Kangen respectively, while the Mounted Infantry under Bimbashi Winch cut across country to rendezvous with the marching columns some twenty miles upstream. Moving up the Kangen both columns skirmished with parties of Beirs who were invariably driven off, leaving their cattle in the hands of the Government. On 27 January the columns reached Dorein, a large lake over 100 yards wide and a mile long. Here they were joined by the Mounted Infantry who, like the marching columns, had skirmished with the Beirs and captured large numbers of cattle and sheep. After a short march on the 28th, the Northern Column crossed the river and joined the Central Column at Belichifor. That night, leaving the transport and supplies in a well-guarded *zariba*, the combined columns marched through the dark along the banks of the Kangen while the Mounted Infantry made another sweeping movement to the west to cut off any Beirs fleeing into the interior to escape the advancing infantry. Although a trying and difficult march, the manoeuvre was highly successful. Camp after camp of the Beirs were surprised, the inhabitants put to flight, the cattle captured. By dawn the government forces

had reached Lurdein, the junction of the Thongthidderongthong and the Kangen. While making camp here Drake Bey learned that the *zariba* at Belichifor had been assaulted by the Beir, who had been driven off by the guard under Bimbashi Dickinson, but not before nine Dinka carriers had been killed and twenty-two wounded. From Lurdein patrols were subsequently sent out in all directions to scour the countryside, intercepting parties of Beirs skirmishing, and capturing large numbers of cattle and sheep. 79

On 31 January the Northern Column was left at Lurdein to complete the subjugation of the Beirs along the Kangen River and the *Khur* Thongthidderongthong, while the Central Column returned downtsream to establish a permanent post at the juncture of the Kangen and Pibor Rivers. There had been no definite decision made before the beginning of the patrol regarding the establishment of a permanent post in the Beir country, but it was certainly the opinion of the officers of the patrol that despite the problems of communication and supply, without a permanent administrative station the whole purpose of the Beir Patrol would be nullified as soon as the Government forces withdrew from the country. C.V. Fox, the Political Officer of the Central Column, summed up the feeling of the officers of the patrol :

> [A post should be established] in order to make these people, who are wild as game, understand that we are a government and not a cattle raiding party brought here by the Dinkas.
>
> No matter how little a post of one company is able to accomplish, it is always slowly teaching and making these people understand that there is a material thing called government.
>
> If the expedition withdraws without leaving a post, it is reasonable to suppose that the Beirs will either say we have driven the expedition off or they have done all what they intend to do.
> If a new company is sent up after the retirement is carried out the Beir will certainly look upon it as a fresh expedition and all the work would have to be commenced again with an inadequate force ... [Our object] I take it is to administer the Beir country not to simply check their raids by military force. The best policy appears to me to be to establish the post in the country holding out the best prospect of getting at and establishing administration amongst the most amenable of these people. 80

On 4 February a site for the new post was chosen at the junction of the Kangen and Pibor Rivers, and a company of XIVth Sudanese under the command of Bimbashi Hon. R. Bruce was detailed to construct the necessary

defences. The station was called at first Fort Bruce in honor of its first commander, but the name was later changed to Pibor Post. 81 Its central location and good water supply proved the wisdom of the choice, for today Pibor Post is still the administrative headquarters of the Beir Country.

Although the Patrol had been in the Beir country for nearly a month and had repeatedly sent out prisoners with messages requiring the chiefs to submit, the Beirs showed no sign of yielding to the government. 82 Drake Bey had no alternative therefore but to continue the punitive measures and to send out additional patrols to find and attack roaming parties of Beir and capture their cattle. One such patrol of Mounted Infantry marched all the way to the *Khur* Adiet where the Beirs of the River Veveno had fled with their cattle. By 12 February both the Central and the Northern Columns were again reunited at Fort Bruce, each having returned from their respective drives of the Veveno-Adiet country and the Kangen Valley with large numbers of cattle. After a few days of rest at Fort Bruce to refit and refresh themselves the two columns were again on the march. Leaving Fort Bruce the Central Column advanced down the Kong Kong or Agwei River, while the Northern Column marched along the bank of the Pibor. The stretch of the River Kong Kong covered by the Central Column was found to be deserted, but on reaching the Pibor (at approximately 7°16′) signs were found of recent occupation by large numbers of Beirs and their cattle. Here four men were captured and, upon expressing a willingness to take messages to the Beir chiefs, were sent off accompanied by the Mounted Infantry. Upon the approach of the emissaries, however, the Beirs drove off their cattle, and the best the Mounted Infantry could do was to capture two Beir elders and some cattle. 83

While the Central Column appeared to be totally frustrated in its attempts to make contact with the Beirs, the Northern Column, marching down the Pibor, was more successful. When the Northern Column had marched into the Beir country a month before, it had actually been approached by Baz Chamehore, chief of the Tong Ajol section of the Beirs, who appeared willing to submit. Bimbashi Wauhope had received Baz Chamehore's overtures in good faith, but as a sign of submission had demanded a modest number of cattle. These had not been forthcoming; but further measures were not taken against the Tong Ajol Section, for the Northern Column had moved off to carry out operations on the Kangen River. Everywhere however the Beir Patrol had experienced only frustration and exasperation when trying to make contact with the Beirs, and so, hoping to reopen negotiations with Baz Chamehore and through him to make contact with the other Beir sections, the Northern Column proceeded down the Pibor with strict instructions to fire only in self-defence and to make every effort to

establish friendly contact. Such tactics soon had the desired effect. On 28 February at Shargo, a representative of Baz Chamehore met the Northern Column offering the submission of the Tong Ajol and "bringing in the balance of the cattle tribute originally levied on that section". 84

The submission of Baz Chamehore was accepted with alacrity and five days' grace granted to enable him to bring in the other chiefs. But the other chiefs refused to come, telling Baz Chamehore that "they would never come in, and Government would eventually tire of war and quit the country". 85 In the face of this unrelenting opposition Major Drake had little choice but to continue punitive measures. Dividing his force into small detachments he stationed them at the remaining pools on the Pibor from Wiekodni to Fort Bruce and south up the Veveno to Pabenoi. Other patrols of Mounted Infantry were sent to guard the pools on the *Khur* Adiet. The recalcitrant Beirs, desperate for water for themselves and their cattle, attacked several of these detachments, particularly Pabenoi where the water was good. Here, as at the other pools, they were driven off with heavy losses of men and cattle after attempting to force their way into the *zariba*. Unable to get to the waterholes the result was the further "loss from thirst and exhaustion of large quantities of cattle to the Beirs, and also men who appear to have sacrificed themselves, sending their women to the water". 86 On 14 March the remaining Beir chiefs had had enough. Approaching Captain Fox at Bijabij, the leader of the belligerents sued for peace, sending his son with a letter of submission to Major Drake at Pabenoi. The Beir Patrol was over.

Leaving Bimbashi Bruce and a company of the XIVth Sudanese at Fort Bruce to receive the submission of the chiefs, the units of the Beir Patrol, already short of supplies, quickly withdrew. Marching by way of Akobo the Patrol reached Abwong on 3 April where, embarking on steamers, the troops returned to their regular stations. The losses to the government forces were forty-one killed and wounded, most of whom were Dinka carriers. The Beirs sustained much heavier losses estimated at 146 killed and an undetermined number wounded. There was no doubt of the success of the patrol. The Beirs had been forced to submit and about 10,000 sq. miles of territory, with a population of over 10,000 inhabitants, had been brought under Government administration. Henceforward Beir raids on the Dinka could be prevented and the Beir themselves would reap the benefits of a sound and stable administration. Such administration was due primarily to the establishment of a permanent post in the Beir country. This station was the logical conclusion to the punitive measures of the patrol, and it is indeed fortunate that the officers had the good sense to realize that no peace or administration could ever be introduced into the Beir country without it. Too often punitive

patrols had been followed by neither occupation nor administration, and the folly of such a policy can never be rationalized by well-meaning appeals to shortages of men and money. A post in the Beir country signified that the Government had accepted its responsibility to govern, not merely to punish.

On 26 April all the Beir chiefs had submitted to Bimbashi Bruce, and on 30 June six Beir chiefs arrived at Mongalla to express "their intention of being loyal in future to Government". 87 The subsequent execution of this pledge and the consequent law and order in the Beir country from that time forward appears to have more than justified the patrol against the Beir.

NOTES

1. This article has been written primarily from manuscript materials to be found in the archives of the Sudan Government in Khartoum. I have used the following abbreviations to designate particular archival and other classifications : *SNR*, Sudan Notes and Records : SIR, Sudan Intelligence Report : Int., Intelligence : the symbols II/30/244, mean Class II, Box 30, File 244.

2. Quoted in Seligman, C.G. and B.Z., *Pagan Tribes of the Nilotic Sudan*, London, 1932, p. 361.

3. The Beir are also called Ajibba (Jibba, Jubba) by the Nuers and Rotilla by the Taposans but call themselves Murrlen (Molen, Merule, Mourle, Murule).

4. Col. M.H. Logan, "The Beirs". *SNR*, 1, 4, pp. 238-49.

5. "Notes on the Beir Country and Customs," by Captain H.H. Kelly, SIR, 213, April, 1912, Appendix.

6. Logan, "The Beirs", p. 243. and "Notes on the Beir Country and Customs", SIR, 213, App.

7. "Notes on the Beir Country and Customs", SIR, 213, App.

8. Logan, "The Beirs", pp. 244-5.

9. "Notes on the Beir Country and Customs", SIR, 213, App.

10. "The Beirs", Notes by the Officer Commanding Sobat-Pibor District, 1 September 1918, Int. II/30/244. Major Drake at the conclusion of the Beir Patrol of 1912 estimated the number of Beirs to be about 15,000. In the light of more accurate investigation at a later date this figure should be reduced.

11. "The Beirs", Int. II/30/244, and "General Notes on the Beir Tribe" by Captain G. B. Wauhope, SIR, 215, June 1912, Appendix A.

12. "General Notes on the Beir Tribe", SIR, 215, App. A.

13. *Ibid.* Another reason, apocryphal but more entertaining, for the Beir's hatred of the Dinka is the story of a certain Dinka woman who was driven from the tribe into the jungle where she gave birth to a son. Living on leaves and roots the two survived and the boy grew up, but when they tried to rejoin the tribe she was recognized and with her son driven away again. The mother asked the boy to leave her and rejoin the tribe which he might do if she was not with him. "He refused and suggested that she should marry him, and their children would form a new tribe. This was done. The tribe became known to the Dinka as the Beir, which they say is their word for *orphans*. The founders of the tribe told their children always to harass the Dinka in revenge for having ill-treated them". *SNR*, IV, 1, p. 51.

14. Bimbashi A.W. Jennings-Bramley to A. Cameron Bey, Governor of Mongalla Province, 22 January 1906, and "Report on the Road to the Beir Country", SIR, 139, February 1906, Appendix A; and SIR 140 March 1906.

15. "Mongalla Intelligence Report, January, 1904", Int. VIII/2/12.

16. "Mongalla Intelligence Report, July, 1906", Int. VIII/2/12.

17. "Mongalla Intelligence Report, December, 1906", Int. VIII/2/12.

18. SIR, 150, January 1907.

19. SIR, 156, July 1907.

20. The Beirs were only able to raid the Dinkas during specific months. These were at the beginning of the rainy season (May, June, or at the latest July) when there was sufficient water along the route for men and cattle but not yet enough to flood the countryside; and at the beginning of the dry season (November, December, January) when a sufficient amount of the flood water had run off to make the trails passable yet before the all important waterholes dried up.

21. SIR, 161, December 1907, Appendix C.

22. *Ibid.*

23. Dinka fear of the Beirs appears to have been partly founded on the supernatural powers attributed to them. Several government officials

witnessed, and duly recorded, such mystical powers. After a Beir raid it was pointed out by the Dinka as proof of the Beirs' unnatural powers that vultures always gorged themselves on Dinka dead but left the Beir scrupulously alone.

24. Bimbashi P.M. Dove to Adjutant General, Khartoum, 7 May 1908, Mongalla, I/1/3.

25. "Mongalla Intelligence Report, January, 1908," SIR, 162, January 1908, App. B.

26. "Mongalla Intelligence Report, February, 1908", SIR, 164, March 1908, App. B.

27. SIR, 165, April 1908.

28. "Notes on the Beir Country and Customs", SIR, 213, App.

29. *Ibid.*

30. Logan, "The Beirs", p. 239.

31. Lt. Colonel Count Gleichen, *The Anglo-Egyptian Sudan,* London, 1905, I, p. 141.

32. SIR, 88, November 1901.

33. "Lieut. Comyn's Survey of the Pibor River", *The Geographical Journal,* March 1908, XXXI, 3, pp. 304-7; Gleichen, *The Anglo-Egyptian Sudan,* I, pp. 151-2; and Comyn, *Service and Sport in the Sudan.* London, 1911, pp. 84-124.
The furthest point which Comyn reached on the Veveno was later confirmed by a Beir who had seen Comyn in 1904 and was later captured by Anglo-Egyptian forces in 1908. SIR, 187, February 1910.

34. "Route Report - Bor towards Beir Country", Bimbashi P.M. Dove, SIR 165, April 1908, Appendix C.

35. "Report of Reconnoitering Patrol from Bor to Malau, near Beir Country", R.C.R. Owen, Governor, Mongalla Province, SIR 165, App C.

36 "Instructions to the O.C. of Beir Patrol", R.C.R. Owen 24 May 1908, Mongalla, I/1/3.

37. *Ibid.*

38. *Ibid.*

39. Wood-Martin to Owen, 11 June 1908, Mongalla, I/1/3.

40. "Report on the Beir Patrol". Wood-Martin, 5 July 1908, SIR 168 July 1908, Appendix E.

41. Wood-Martin to Owen, 13 June 1908, Mongalla, I/1/3.

42. "Report on the Beir Patrol", SIR 168, App. E.

43. SIR, 176, March 1909.

44. SIR, 185, December 1909, and SIR, 187, February 1910.

45. SIR, 192, July 1910.

46. Although Colonel Logan records ("The Beirs", p. 248) that the Beirs "are said not to fire the grass" during a retreat, they appear to have used this stratagem when retiring from the Dinka country in July 1910.

47. SIR, 193, August 1910.

48. SIR, 196 November 1910.

49. SIR, 199, February 1911.

50. *Ibid.*

51. Owen to P.R. Phipps, Civil Secretary, 22 November 1910, Mongalla, I/1/5.

52. *Ibid.*

53. Owen to Phipps, 23 November 1910, Mongalla I/1/5.

54. Wingate to Owen, Tel. 451, 19 December 1910, and Wingate to Owen (letter), 17 December 1910, Mongalla, I/1/5.

55. *Ibid.*

56. Owen to Wingate, Tel. 300, 19 December 1910, Mongalla I/1/5.

57. Wingate to Owen, Tel. 500, 3 January 1911, and Owen to J.H. Arden, O.C. XIVth Sudanese, undated, and Arden to Owen, 11 February 1911, Mongalla, 1/1/5; SIR, 199, 204, February and July 1911 respectively.

58. SIR, 201, April 1911.

59. SIR, 196, November 1910.

60. SIR, 206, September 1911.

61. SIR, 207, October 1911.

62. Major H. Darley, *Slaves and Ivory,* London, 1935; *The Geographical Journal,* XXXVII, pp. 213-14. The information supplied by Major Darley was of the greatest interest to the Sudan authorities. Wingate himself read Darley's notes carefully, pointing out certain discrepancies between Darley's information and that which Owen had obtained at Mongalla. The Assistant Director of Intelligence, G.S. Symes, seemed to discount much of Darley's report as "very sketchy" and of "little value as he did not go, himself, north of 5°Lat". Wingate to G.S. Symes, 27 March 1911, and Symes to Wingate, 2 April 1911, Mongalla, I/1/5.

63. SIR, 207, October 1911.

64. Owen to Phipps, 15 January 1910, Enclosed in Owen to Phipps, 22 November 1910, Mongalla, I/1/5.

65. Owen to Governor Upper Nile Province, April 1911, Mongalla I/1/5. It was unknown at that time whether the river passing Jabal Lafon was the same river which passed through the centre of the Beir country. Indeed this was one of the points raised by Wingate in his queries on Darley's notes.

66. Owen to Phipps, 15 January 1910, and Owen to Governor Upper Nile, April 1911, Mongalla, I/1/5.

67. Bimbashi C.V. Fox, Political Officer, Central Column, to Owen, 19 January 1912, Mongalla, I/1/5.

68. This phase of the operations is derived from the report of C.V. Fox. Political Officer of the Central Column to Governor Owen, 19 January 1912, Mongalla, I/1/5.

69. There are two sources for this second phase of the operations. Fox to Owen, 19 January 1912, Mongalla, I/1/5; and "Central and Northern Columns Beir Patrol", SIR, 213, April 1912, Appendix.

70. There are two sources from which one can construct the story of the Southern Column : "Southern Column : Report by Political Officer Owen Bey", Mongalla, I/1/5; and "Southern Column Beir Patrol", SIR, 212, March 1912, Appendix.

71. The Berri (Beri, Pari, Bori, Fari, Feri, Fori) should not be confused with the Beir as they frequently are. They are, linguistically speaking, members of two distinct tribal families, the Berri speaking a Shilluk dialect and closely related to the Anuak from whom they split off many

generations ago, and the Beir who beling to the Didinga linguistic family. Seligman, p. 106.

72. Owen called these people the Nerlerrim. They are also known as the Boya.

73. Owen called the Taposa (Topotha, Dabosa, Tabosa) by the name Karakara.

74. "Southern Column : Report by Political Officer Owen Bey", Mongalla, I/1/5.

75. *Ibid.*

76. Jabal Kasangor was called by Owen Jabal Nigiei.

77. "Southern Column : Report by Political Officer Owen Bey", Mongalla, I/1/5.

78. *Ibid.*

79. The movements of the Central and Northern Columns up the Kangen are to be found in : Fox to Owen, 6 February 1912, Mongalla, I/1/5; and "Central and Northern Columns Beir Patrol", SIR, 213, App.

80. Fox to Owen, 19 January 1912, Mongalla, I/1/5.

81. "Central and Northern Column Beir Patrol", SIR, 213, App.; and Fox to Owen, 19 January 1912, Mongalla, I/1/5.

82. All of these prisoners were women, for the Patrol in spite of their many skirmishes and encounters with the Beirs had up to that time been able to capture only two men alive.

83. The movements of the Central and Northern Columns after 12 February 1912 are to be found in : C.B. Wauhope, Political Officer Northern Column, to Owen, 19 March 1912, Mongalla, I/1/5; and "Central and Northern Columns Beir Patrol", SIR, 213, App.

84. "Central and Northern Columns Beir Patrol", SIR, 213, App.

85. *Ibid.*

86. *Ibid.*

87. SIR, 215, June 1912.

NASIHAT AL AWAM

by
MOHAMMED OMER BASHIR

Nasihat Al Awam is the title of a book written by Ahmed Al Awam, the text of which is available in photostat in the Archives of the Sudan Government. The book is in 60 pages (pages one and two are missing) and contains about 8000 words. The book was reproduced at Omdurman on the lithographic press which the Mahdists had taken from the Governor General's Office on the fall of Khartoum in 1885. The man responsible for copying from the original was Abdel Ghani El Salawi. There are few comments in the margin and no chapter headings.

Al Awam's book is the only book known to have been written in Arabic by a contemporary Non-Sudanese on the Mahdi's Revolt. It represents the point of view of one who took an active part in 'Urabi's Revolt, on the questions of the rule of the Turkish Government, the rule of Mohammed Ali's family in both Egypt and the Sudan, and the reasons why the Mahdi's Revolt should be supported.

Ahmed Al Awam was one of those Egyptian Nationalists deported to the Sudan in 1882 after the suppression of 'Urabi's Revolt in Egypt. Of his early history nothing much is known except what W.S. Blunt wrote in his book *Gordon at Khartoum* and the information contained in a letter by W.S. Blunt to *The Times* dated May 4, 1884.

As for the role he played in the Fall of Khartoum, we have nothing to go by except Gordon's Journal and Ibrahim Fawzi's book *El Sudan Bain Yadi Gordon wa Kitchener.*

Before 'Urabi's Revolt, Ahmed Al Awam was employed as a clerk in the Cadastral Survey under Sir Auckland Colvin. According to Blunt, Al Awam was an honest and zealous employee. Seeing that the Cadastral Survey was mismanaged and inefficient and being an honest employee, Al Awam drew up a memorandum on its conditions and sent it to his chief. The result of this was his dismissal from the service. Al Awam was not satisfied with this action and he made an appeal to the Press which seems to have been published and which seems to have brought him into the eyes of the public and to have made a hero of him.

When 'Urabi came to power Al Awam, who was already acknowledged as a martyr, was made a secretary in the War Office under 'Urabi. His

appointment was not due to any prominent part taken by him in the events of those days but rather to his being considered a hero. On the occupation of Egypt Al Awam was among those arrested and court-martialled. He was sent to Bogho prison where he was badly treated, and after staying there for seventy-four days, was exiled to Khartoum.

He was kept in prison in Khartoum until Gordon arrived and ordered that all prisoners be released. This amnesty included Al Awam, and one Abu Bakr Al Jaykuk was his guarantor. But his release did not mean his return to Egypt; he continued to live in Khartoum. Gordon and Stewart tried to make use of him and as a result of this he was employed by Stewart in translating letters from Arabic into English. Gordon gave him money from time to time. It seems that from the beginning Gordon did not trust him, and that it was on Stewart's recommendation that he was employed. In his Journal Gordon refers to him as "Stewart's friend". and writes as follows on his work; "he had just exercised his own imagination and taken not the least pains to give the sense of the contents of these letters".

On another occasion Gordon writes as follows in his Journal about Al Awam :

"Awam has been saying that the letters I got from Her Majesty, that the troops are advancing, were untrue - they were written by him (Awam)".

"Awam was having a discussion on the Mahdi. He took his slipper and struck his opponent - he was so strong in his opinion".

On the morning of 29th September 1884 an attempt was made to set fire to one of the houses near the Magazine Stores at the Roman Catholic Mission in Khartoum. The Magazine Stores had been transferred to the Mission from outside Khartoum when the siege of the town was started by the Mahdi's armies. As Ahmed Al Awam living in the adjacent house to the Mission, Gordon, who never trusted him, naturally suspected him.

Ibrahim Fawzi was instructed to investigate the matter. He wrote as follows :

"I arrested the neighbours and made a personal investigation into the matter. The neighbours were found to be innocent. I found that the opening from which the fire was thrown into the Magazine Stores was in Ahmd Al Awam's house".

As a result of this report, Gordon ordered that Al Awam's house should be searched. This task was undertaken by Fathalla Jahmain from the

Hakimdariah and Sheikh Hussein Al Magdi, Headmaster of the Khartoum Intermediate School. In searching the house, a number of seditious poems praising the Mahdi and inciting the public against the Government were found. Among the papers found was *Nasihat Al Awam* and all were taken to Gordon who ordered Al Awam's arrest and trial. After trial, the court recommended Al Awam's execution. Gordon was reluctant to accept the court's recommendations. He writes as follows :

"I should send him to the Mahdi, but that he knows English, and is a born intriguer".

"There is an evident wish to take off his head but I think he is more fool than knave, and shall try to resist the wish of the town".

While in prison awaiting his fate Al Awam seemed to have behaved badly and abused the soldiers. Because of this reported bad behaviour and the evident wish of the town to have his head, and because of his belief that Al Awam was always in correspondence with the Mahdi, Gordon was at last obliged to hang him by night in his own (Awam's) house.

Awam must have had supporters in the town. A public execution might have led to more discontent in a town besieged by the enemy and the morale of whose inhabitants was deteriorating rapidly. There seems to be no other explanation for the execution by night and in his house.

When Khartoum fell into the Mahdi's hands, Awam's book *Nasihat Al Awam* was found. Na'um Shaqair says that the Mahdi was pleased with it and ordered its printing, and that the Mahdi regretted Al Awam's death and wished that he had had relatives on whom he could bestow part of what he would have bestowed on Ahmed Al Awam had he lived. This was a man who, in spite of the fact that he was a foreigner in the enemy's town, did not hesitate to defend the Mahdi's cause publicly and, more than that, to sabotage the enemy's munitions.

Blunt may have thought him innocent and Stewart may have thought that he could be made use of, but Al Awam's book proves beyond doubt that he strongly believed in 'Urabi's cause and in the Mahdi's Revolt; and that he not only showed this support publicly, but strove to contribute actively to the fall of Khartoum.

The book is divided into an introduction and four chapters. A fifth chapter was added later by Al Hussein Al Zahra. It is evident that the whole book, with exception of the part written by Al Zahra, was written during the siege of Khartoum. Al Awam states that he started writing on the 20th of

Ramadan, the year 1301 (Hijra). The copying by Abdel Ghani El Salawi was finished in 1305 (Hijra) i.e., during the Khalifa's rule.

In the introducation the writer gives his name as Al Awam. It is to be noted here that Gordon refers to him in his Jounal as Al Awan, which is probably a mere spelling mistake. Al Awam states his ancestry as *Hussaini* - i.e., that he was a descendant of Al Hussein the grandson of the prophet. Such reference to one's ancestry is common in the Muslim World.

Al Awam's purpose in writing the book is to draw the attention of the Muslims in "East, West, North and South" to the illegal character of the war against the Mahdi from a Muslim point of view and at the same time to call upon the Muslims to unite and co-operate. He gives as the cause of his deportation to the Sudan that he was accused of taking part in 'Urabi's Revolt, an accusation which he does not deny.

Chapter I deals with the necessity for Muslim unity and co-operation, and asserts that war between Muslims in contrary to Islamic teachings. His arguments on both points are supported by quotations from the Koran and Hadith. The responsibility of the war is put upon the Turkish Government which is also held responsible for the death of about sixty-thousand of its Muslim soldiers who had been sent to fight the Mahdi, and for "the sufferings of Arab and Egyptian women and children who had lost their husbands and fathers in the war".

The Turkish Government in Egypt is accused of handing over the Sudan to the English as a result of its failure to continue the war. Gordon's appointment is taken as a proof of this intention. He warns the people of the Sudan that the support which Gordon was mentioning was a lie and that no support would be forthcoming, and that the only alternative to surrender would be starvation and death.

Chapter II deals with the kind of war which Islam allows as between Muslims. Here too the Koran and the Hadith are quoted and the conclusion is that the war against the Mahdi is contrary to the teachings of Islam because :-

(a) The Turkish Government is not a Muslim Government as it does not follow the teachings of Islam.

(b) The Mahdi is fighting for the cause of Islam and the overthrow of a Government that has betrayed the Muslims.

An appeal is made is made to the Muslims to support the Mahdi

Chapter III is a continuation of the general thems of Chapter II Sultan Abdel Hamid and Mohammed Tewfik should have sent a delegation of 'Ulama to meet the Mahdi and examine his case. Instead of that the Sultan made the 'Ulama of Al Azhar declare in a Fatwa that the Mahdi was a rebel and that his movement and teachings did not follow the teachings of Islam. The instructions from the Sultan left them no choice but to do this. No other action could have been expected from thase corrupt 'Ulama who were in the pay of the Sultan. Sheikh Al Amin Al Darir is referred to as an example of such corrupt 'Ulama. Al Awam states that he has spoken to him and to others in Khartoum, trying to persuade them to follow the Mahdi or at least to negotiate peace.

Chapter IV deals with Al Awam's conception of the Head of the Muslim State :

(a) He should be a descendant of the Koraish.

(b) He should be a good Muslim practising the teachings of Islam.

(c) He should have been elected by the 'Ulama and people of high rank in Society or else have been designated by his predecessor.

As Sultan Abdel Hamid and the Khedive Mohammed Tewfik did not fulfil these conditions, neither should be accepted as legitimate Imams for the Muslims and consequently should not be followed.

Gordon is spoken of as an agent of the English Government. Although he had reduced the taxes, cancelled the Slave Ordinance, given money to the needy and poor and conferred ranks and titles on many, he failed to win the people of the Sudan. This happened in spite of the propaganda against the Mahdi designed and carried out by the 'Ulama of Khartoum.

Chapter V has the title "On the Mahdi". It seems that when Al Awam came to write it he had second thoughts and decided to delay it, his reasons being that the subject of the Mahdi is of such importance that its writing ought to be postponed until after he had met the Mahdi. But Al Awam was hanged and his wish was not fulfilled. When Khartoum fell and Al Awam's book was found and read by the Mahdi, Al Hussein Al Zahra decided to finish it. This may have been a result of the Mahdi's expression of satisfaction with the work or even of direct instructions from the Mahdi.

This part written by Al Zahra consists of thirty-seven pages containing about 4000 words. The first thirteen pages are taken up with a

précis of Al Awam's four chapters and do not contain any original material. The next section deals with the question of the Mahdi in Islam and tries to prove that Mohammed Ahmed Al Mahdi is the man whom the Koran and Hadith have referred to as the expected Mahdi. Al Zahra's proofs are as follows :

(a) Mohammed and Ahmed are names of the prophet and at the same time names of the Mahdi. Moreover the prophet was sometimes called the Mahdi. Thus he resembles the prophet in names.

(b) The Mahdi resembles the prophet in character and in appearance.

(c) The Mahdi has appeared in the place referred to by the Hadith, i.e. "The people of KUFAN will be most happy with him". KUFAN is taken to mean KORDOFAN. Thus the appearance of Mohammed Ahmed in KORDOFAN fulfils the Hadith.

The rest of the chapter is taken up with quotations from the Koran and Hadith demonstrating that the Mahdi is the long-expected deliverer of the Muslims and the Muslim World.

From his own writings, and from what his contemporaries have written about him we can conclude that Ahmed Al Awam took an active part in 'Urabi's Revolt. When deported to the Sudan and later released by Gordon, Al Awam used the freedom granted to him to undermine the authority of Gordon and the Government. Whether he tried to communicate with the Mahdi is not possible to say but it is certain that he tried to persuade the 'Ulama in Khartoum to support the Mahdi, and tried to set fire to the Magazine Stores - an act which, if successful, might have led to the fall of Khartoum earlier than it took place.

On the other hand it is clear that Al Awam had a well-developed background of religious education, as is proved by his extensive quotations from the Koran and the Hadith. His knowledge of English must have enabled him to read in that language and have contributed to his being well-read in politics.

The book was used by the Mahdi and the Khalifa as another evidence of the corruption and the illegality of the Turkish rule, of the Azhar and of the Khartoum 'Ulama. It was used as material for readings in the study circles convened by the Khalifa and must have contributed to the political education of the Mahdi's followers.

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EDUCATIONAL PROBLEMS IN THE SUDAN[1]

By

Nasr el Hag Ali

The Place of Education in the Modern World

Education is of profound interest to all the peoples of the world today. Through education peoples hope to build great nations in the sense of cultural, political and military power, productivity and good living. In 1950 the average expenditure on education of the big powers was somewhere around 16% of the total budget. Our percentage then was 10%. It must be appreciably higher now.

The educational philosophy of the Western block of the Occident strives to produce a free individual in a free society, whereas that of the Eastern block regards education as an instrument for the achievement of national objectives, assuming that the minds of the children are the greatest national resources of the nation and that the function of education is to help each child to achieve his maximum potential contribution to the nation. Other non-occidental peoples in Asia and Africa, aware of the incompetence of their indigenous institutions, go for wholesale copying of the Occident in what they regard as the sole reason for its superiority. They are thus faced with big problems of adaptation and adjustment.

Before the close of the first half of the twentieth century, nearly all western nations had achieved universal compulsory education, and went on raising the school leaving age from 13 to 14, 15 and sometimes even 16. In Western Europe, they provide places for between 7 and 15% of the child population in the academic type of secondary schools, believing that equal opportunity does not necessarily mean equal endowment or aptitude. On the other side of the Atlantic the United States of America provides places for 90% and gives college education to about 40%; their main worry today is to prepare for the pressure on college facilities, which is expected soon. The Union of Soviet Socialist Republics in making equally big strides in this respect, and in certain states, the Russian and Uzbek Republics, it is believed that expenditure on education is 50% of the entire budget. Some of the other countries like India and Egypt have achieved universal elementary education and Ghana has managed to cover 85% of the child population. We cover about 30%.

"Education has never been smothered by as much attention in so short a time, as in the past few months" according to the Educational Digest of November, 1958. As early as 1949 *The Times Educational Supplement* devoted a great deal of space to the discussion of the technological problems

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1. Paper presented to the Philosophical socety of the Sudan, 27 January 1959.

in Britain; and educationalists drew comparisons between continental and American systems of technical education and their own, and lamented Britain's lagging behind in the standard of productivity per capita. The success of the Russians in sending the Sputnik into outer space, has driven the Americans into a serious examination of the quality of their national education and made them wonder what is unique about the Russian system that made them excel in this field of science.

There is no wonder then that education is being held in such high regard all over the world. We, too, expect education to do wonders. Through education we hope to achieve our objectives, and they are numerous and preponderant. The so called underdeveloped, sometimes backward, countries - we are one of them - in the first place need to consolidate Nationalism and independence in the wider sense, a situation forced on them by the quick development and transformation in world thought and morality. The many diversities of race, culture, dialect and language, ideas and ideals, both native and imported, and the varying stages of economic development, have to be thrown into the melting pot and a homogeneous whole produced out of the mixture. This big task is to be done, when these peoples are supposed to be happily lazing at the tribal stage. We expect, through education, to eliminate hunger, disease, and ignorance and at the same time build a modern state, with all the paraphernalia of political and military power that go with a Sovereign State. We are expected, also, to contribute to the human heritage in science and the elements of civilization. Recently one of the leading figures in the Middle East remarked that we have been beaten in the race of races and nations by two great developments - steam and electricity, and we could still manage to see the camel and the car exist side by side. But with the advent of atomic energy, lagging behind will prove fatal and scientific servitude will be more oppessive than military occupation. It is the duty of the Universities, he asserted, to see to that. Three weeks later the world press reported that a certain American company had been able to produce a plant, generating electricity from atomic energy. This generator is the size of a man's hat, only 5 pounds in weight, (which may be reduced to 3 pounds) and is capable of producing a quantity of electricity equal to that produced by 1450 pounds of the best conventional batteries. The age of atomic energy has dawned on us and its full impact may be felt much sooner than most of us imagine.

Education, therefore, is the key to advancement and there is no limit to its absorptive capacity. Money and effort put into it are a highly productive investment, provided that they are wisely and knowingly spent. Planning is the safeguard, and any plan that does not take into consideration the problems inherent in the situation, is doomed to failure.

What I have given you so far is a glimpse of the general problems which we share with other peoples of the world. Let me now deal with our particular problems.

The Problem of our Philosophy of Education

Examination of our existing system reveals that it is dual in character - a fact often ignored when dealing with educational matters. Whenever education is mentioned, our thoughts go to secular or modern schools as distinguished from religious or indigenous schools. Even when we are aware of the fact, we seem to think that the latter are extinct or nearly so. You will be astonished if you look at the figures, which I believe are for the first time presented in tabular form.

EDUCATIONAL PROVISION IN THE SUDAN

(as of 1958)

I. INDIGENOUS SYSTEM OF EDUCATION

KORANIC SCHOOLS

	Khalwas	Maseeds	Maahads (Int.)	Maahads (Secondary)	Maahads (Higher)
Number of Schools (Streams)	400	200	58	8	2
Number of Students	20,000	10,000	7500	1300	200

II. MODERN SYSTEM OF EDUCATION

	Elementary & Sub.-Grade	Intermediate	Secondary	Higher
Number of Schools (Streams)	2,050	270	70	3+
Number of Students	270,000	42,000	10,000	2500

Education is one of the most expensive of the national services. It is also the most difficult to maintain, adapt and administer. Like all other institutions, it must move forward with the times; but more than anything else, the effect of changing conditions on it is profound and far-reaching. A change in conditions will render objectives, educational content, equipment and buildings obsolete. As the educational system is slow to build up, it is equally a slow business to tear it to pieces and remodel it; and by the time this is accomplished, a new change will have set in, causing the child to outgrow the finished dress. To avoid this situation, the system should be so flexible, that it

may be adjusted to new conditions as they arise. In our case this may mean expanding and remodelling all the time - two separate operations, which, undertaken together, would certainly prove terribly expensive and difficult to handle. Unfortunately we have no alternative but to do it this way. It is being said that one should run fast to be able to stand still. It is like being on a swiftly revolving globe; unless you move at the same speed, you lose ground. We have a very big gap to fill, so we have to move fast.

Such a big task will certainly require strong convictions as a driving force. The Philosophy of Education in the countries we are copying has produced that force. The ordinary citizen, as well as the State, has come to regard education as having intrinsic value for shaping the individual and the nation into what they believe to be the ideal society. The existence of two very different systems side by side, is a symptom that we have a problem in our Philosophy of Education. We have two forces which may not be pulling together, and the fact that they exist together is an indication that neither of them is strong enough to match the situation.

Indigenous education, the Khalwas, the Maseeds and the Maahads, date back to the Middle ages, and spring from our religion. Islam has made it the duty of every Muslim to seek learning, in order to be informed about his faith and spiritual rites. Thus education in Muslim society is an integral component of the individual's existence, in its own right. This was the case with us up to the first quarter of this century, when every community, in a village or a town, had their Khalwa and maintained it well. However defective the Khalwa may be regarded by modern standards, to say the least about it, it met the needs of the community at the time, and it provided a place for the child to meet other children and experience some sort of discipline. At the same time modern schools were being increasingly opened, the main motive being the need of the new governmental machinery for literate people. Government employment became the sole objective of education, or so the people understood it, and thus purely materialistic, utilitarian motives have been substituted for the stronger spiritual one. I am afraid this is the position now; and what is worse is that the same attitude has encroached on the Maahads. Such a motive does not take us very far, because by this way of thinking, unless schooling leads to ready employment in what is known as the white-collar jobs, education has no value. This is now influencing the nature of the education we are giving and its expansion. That is why when we have to increase the facilities of secondary and university education, we have to keep an eye on the absorptive capacity of the country. People do not realise that schooling is a necessity for the individual in modern society, in the same way as religious instruction was and still is a necessity for

a Muslim society. They do not look around to see how daily life is complicated and closely interwoven with mechanisms. One can hardly think of an aspect of daily life in which some sort of gadget is not used. The car is replacing the camel even in the areas where camel breeding is the principal vocation of the people. The paraffin lamp and the torch are substituted for the camp fire of the cattle breeders everywhere in the Sudan. Life is becoming every day more and more complicated; discipline and certain skills must be inculcated, if it is to be worth living. Education is becoming a necessity in its own right and not merely as a means of training for a vocation. Literacy, in the broader sense, has become more of a sixth sense, so to say, and without it, a person might as well be blind or deaf and that is even worse.

A big effort is needed to educate the people as to the place and role of modern schooling in modern life. As tax - and rate - payers and as parents they have to see the wisdom of it, to accept their obligations in a positive way. It is also necessary to integrate the two systems. But while this is so, we must realize that any sort of education will definitely lead to a more sophisticated outlook on life, especially from the material point of view. In a country where 14% of the population are still nomadic, and 78% are rural people, the majority of whom are on substistence level, education will create great upheavals. Elementary school leavers will expect a more regular income and a minimum standard of living. Educational and economic development should, therefore, go hand in hand, if education is not to disrupt the life of the rural people.

The Problem of Quantity and Quality

It is difficult to overemphasize the place of education in modern society and the role it should play. As such it makes big demands and calls for real sacrifices on the part of any people aspiring to education, adequate in quantity and quality. In our case, I have already stated that we are able to cover about 30% of the child poputation, taking into consideration the elementary, sub-grade and village schools, government or otherwise. I also hinted at the quality of our education.

To give you an idea about the magnitude of the problem of quantity, here is a simple calculation for the situation. The budget of the Ministry of Education for 1958-59 was £ 5,330,000; out of this £ 3,330,000 was spent on elementary education. If we are to provide schooling for all children, 7 to 11, we need an annual running expenditure of 10 million pounds, or 25% of the whole budget. We need to build 4000 new schools, costing 26 million pounds. It will take the Ministry of Works at least eight years to build them. If we

think of secondary education at all, we may have to spend 25 million pounds annually out of a total budget of 40 million pounds.

The picture is further complicated, when we give consideration to the various types and branches of education which must be provided and the requirements of higher education. We have to bear in mind the man-power needed, housing and maintenance. These days money is not the only problem. Shortage of personnel of the right calibre is equally acute.

Quality

In addition to the fact that our educational facilities are very limited in scope, they are far from satisfactory from the technical point of view. One of the main defects is disproportionate distribution in age and numbers. This may be due to the three stage system of four years each. The majority of those who leave the elementary school are too young to have really benefited from schooling or to be absorbed in life. Those who leave secondary school are a bit older than necessary, and improperly equipped for further education or for life Out of every eight children, only one finds its way from the elementary to the intermediate stage. It should be remembered that two thirds of the children at school age have no places, and the true picture, therefore is one in every 24; whereas one out of every three goes to secondary, and the same proportion to higher education. The secondary schools are drawing from a much narrower base.

This means that the Intermediate school is the bottle neck, and the effect of it appears to be more serious, when it is revealed that the share of the towns is much greater than that of the rural areas, and that only a relatively small proportion of our child resources is being tapped. Even for the full utilization of the limited places we have today at the secondary and higher levels, we have to broaden the base by building more elementary schools, and do the same with Intermediate schools, at the same rate or even faster, or otherwise eliminate the Intermediate school altogether.

This immediately brings us face to face with a choice which is very difficult to make. Are we to provide for all those who want basic education and for whom we can provide, or are we to concentrate on the élite? In fact we hardly have any choice there. We have to do both or nearly so, even if we choose to produce qualified persons to meet our immediate needs, which we have to do. Otherwise we cannot have the teachers who teach, the doctors, the engineers who build schools, roads and canals, and the Agriculturalists, the

Veterinarians and the Economists who help produce the money needed for the development of the services, education included.

In fact this is a feature that permeates the whole system and affects the content and approach of Education in the three stages. Our elementary and intermediate schools are all in fact working to provide entrants for the higher institutions of learning, and the development of individuality and personality is given a subsidiary place. The International Commission for Secondary Education, invited to examine and report on our secondary schools, made it very clear that even in this limited objective, our system fails us to a considerable extent. The very limited scope we have at the top is not properly utilized, mainly because of our selection system. The variety of education, the type of examinations, the lack of intelligence tests, the prevalence of repetition of years and courses, and differences in age, all lead to the filling of places in intermediate and secondary schools with children who may not be suited for higher education. Here it must be stated that there is much confusion as to the understanding of the principle of equal chances or opportunity for everybody; in many cases it is taken to mean equal aptitude or ability. I mention this because of the pressure of parents on the Ministry of Education, whether it is for relaxing the conditions of repetition or the age restrictions for entrance, or against the provision of the type of School that really suits the majority of children. I have three cases for evidence, the Omdurman Community Secondary School, the Karrari Girls' Intermediate School, and the case where a whole class for repetition was opened. Parents may be tolerated, because it is an accepted fact that parents overrate their own children, and our saying : القرد فى عين امه غزال finds ready application here. It is the support of this state of affairs by public opinion that one cannot really understand. It may be due to ignorance; or otherwise to ulterior motives, which is worse. Educational authorities have a big battle to fight in tightening the selection system. The remedy here is known and is capable of application.

An Alien System

A third feature of our Educational system is that in its top layers, Secondary and Higher, the part that really matters and is certain to carry the rest with it, however different that rest may be, it is modelled on the British type. This is a historical fact and can therefore be readily understood. That system, namely the British system, judged by its results and attainments, enjoys the highest standards the world over. I think it is important to emphasize this fact to avoid being misunderstood. This being the case one can easily see two drawbacks : one is that, because of the difference in habitat and objectives, the

application of an alien system is not conducive to the best results. The second, and this actually springs from the first one, is that the medium of instruction is English. This is a real stumbling block from the purely educational viewpoint and the more obvious practical one. To make such a sweeping statement is against all acceptable norms of scientific method, the motto of the day. This is certainly a matter that needs careful study and conclusions can only be made on evidence. I have no time for that, I hope somebody in future will do so; but one thing I am sure of, (and this is "There is no better guinea pig or field of study than one's own self". I have been a student of myself, ever since I learnt something about the technique of study; and I can say, with certainty, that what they call the bilingual person through schooling does not really exist. Often I had the feeling of frustration at not being able to enjoy a written piece, or follow part of a talk, or really live with actors on the stage or the screen, because of the difficulty of the language. Often I had to give up presenting an idea, because I was not sure of my expression. I may be only one example, but I am a rather useful one in that respect. The International Commission dwelt on this point, and rightly so, and recommended strongly that steps should be taken to remedy this situation. Steps are being taken, but the difficulties are immense. The main ones are the South, the training of teachers, the text-books, and the requirements of higher learning. Whatever may be the drawbacks of English as a medium of instruction, there are two facts associated with it, that should always be born in mind. English is probably the language or second language of one of the biggest groups in the world - I am not sure whether the Chinese is not the biggest. Think of the Commonwealth including India, Western and Mediterranean Europe, United States of America and the influence of English in Japan, Africa and certain countries in Asia. As such English is one of the recognized international languages. The other fact is that modern science is the outcome of Western culture, and literature in this field, with all the technical terms, is in the main European languages, French, German and English.

Being British in its essentials, the personnel who established it and who are required to help transform it should preferably be British. So the problem calls for a compromise in which both parties concerned should be tolerant and understanding. The Sudanese who are keen to see a system that would meet the aspirations of the new nation, should be able to appreciate and understand the nature of the problem at this transitional stage, and the British who are to help this system emerge, must be able to see the situation in a fresh light and be capable of adapting their ways to suit a situation not very similar to that which is familiar to them. The Arabization of instruction and the remodelling of the content and objectives of education should certainly

make big strides, but in no way should a revolutionary step be taken. I am glad to see that a move in this direction is coming from the Cambridge Examinations Syndicate in cooperation with the Examination Council which controls our School Certificate, and therefore our secondary education, and a similar tendency is beginning to emerge in the University circles. Egypt started this in 1928. They did a great deal, and ended today with five Faculties still using English as their medium of instruction. Syria arabized its higher learning, but we have no evidence as to the effect of this.

Particular problems of a less permanent nature

So far I have given you three main problems which confront the plans for education in this country, namely Philosophy, Volume and Alien Character. I now turn to other minor problems in which planning will be equally interested.

Two-fold objective

One of them is the two-fold objective which the system is to accomplish. It is not unnatural to have a system trying to achieve more than one aim, but such aims are usually complementary. With us the two aims are often difficult to harmonize.

In the case of the schools, and specially the elementary schools, the curriculum must give a complete education in itself, and at the same time prepare for the next stage. The difficulties and results are obvious here. Those who finish the elementary school cannot claim a complete education in itself and those who go further are only half prepared for the next stage. The majority, at least 80%, leave school too early and what they get is doomed to be lost. They are likely to lapse into illiteracy. What we try to do today in the elementary schools is excellent, but a lot of it is beyond the reach of the children, because of age and conditions of the home, which is terribly lacking in many respects. Whether at home or in their experience, the children have never come across the concepts presented to them at school at the age of 7-11. Although our homes and society have really good elements that help to foster the personality of the child in that their traditions have their roots in the riches of ancient civilizations, yet they have little to offer for the development of modern habits of thinking and work, reading, precision, manipulation of modern appliances, seeing, observation, hobbies and the like. The school must provide that. There must be a separation of the two objectives and the majority must be given the chance of a concentrated course for a longer time. The Planning Committee sitting now is well aware of this. Such a step will

certainly affect the intermediate stage and may do away with it and reform secondary education.

On the higher education side the two-fold objective is also a problem, although in a different way. Our University has to accomplish two aims, which are also difficult to reconcile.We are building up facilities and traditions calculated to make of our University a place for learning and research which characterize University education. The catchword in this process is standards, standards in building, equipment, staffing, conditions of entry, examinations and the award of degrees and diplomas. On the other hand we have to meet an immediate pressing need; the country needs as many qualified men in all walks of life, as we can possibly produce. This is not readily compatible with standards as you see; but somehow they should be reconciled. Other Universities are perhaps able to accomplish both aims without difficulty thanks to their facilities and resources, both in men and material. I must remind you here that standards are important for acquiring the qualified men whom the country needs; nobody would look at our degrees for post-graduate work or research, if our standards are not recognized. You cannot divorce the one from the other. It is perhaps appropriate to mention to you in connection with standards, that it is believed that the incidence of Honours is one in each thousand, in other words of each thousand students one is capable of Honours.

Teachers

Another serious problem is that of teachers, and the difficulty lies in two aspects of this field - recruitment and remuneration. Recruitment for the earlier stages, elementary, and intermediate presents no problem, and the training centres' output is adequate and can be further developed, if need be, to meet expansion. It is in the secondary and the higher stages that the pressure is really being felt. There are many reasons for scarcity of teachers of this calibre and I shall only mention the most important of them. The first reason is that we have no training facilities for secondary school teachers (it is the fashion all over the world not to train University lecturers professionally) and this is so because there are no people to be trained, as vocational training is a post-graduate undertaking and graduates do not come forward to become teachers. This is again a long story. The training of the University lecturer takes the form of more intensive, narrow specialization in his particular field and the relevant technique of research that goes with it. Such a line is only open for those distinguished graduates whose attainments are of a high standard. Please remember that only one in a thousand is really capable of Honours work. So in these two fields we have to resort to expatriate teachers, and really good teachers who can match our situation (I regard our situation

as a challenge to Educationalists) are very expensive, scarce and mobile. This is so because after the last world war there has been such a tremendous expansion in Western Europe, America and Egypt, our field of recruitment, that the bulge is either expected soon or has already started. We too, and many other peoples in a situation similar to ours, are beginning to expand at the same time, and in this way the good teachers or University Professors are having a seller's market. The remedy is to have our own Institute for training secondary school teachers, and generally increase facilities for graduates to qualify and enter the University Service. This is now being done and it only remains for the graduates come forward. Will they? This is a difficult question to answer. Our situation here can be likened to that of Jiha who, when asked about the prospect of marrying, affirmed that his problem is half solved - he had decided to marry the daughter of the Sultan and it only remained for the Sultan to agree. Apart from the financial aspect, teaching is a thankless profession and it needs the zeal of a missionary to choose to become a teacher and to remain one. One of our external examiners remarked that our students lack the sense of public service and showed no signs of being guided by genuine interest in the choice of their careers and their attitude to their studies.

Remuneration of teachers is a world-wide problem. Teachers are the lowest paid in all the countries I know of, and the problem is at its worst in the United States, where the High School teacher is no better off than the garbage man; this is literally true. I have only heard that the U.S.S.R. is an exception in this respect. Teachers are very well treated in every respect, and I wonder whether this is true of all the Republics and whether it is and will be a permanent feature. It may perhaps be an emergency measure or it may be that their system makes it possible. For education is a necessity, and like all human basic needs, must be cheap. Taha Hussein was not after all far from the truth, when as Minister of Education, he declared that education is as essential as water and air. The individual needs the discipline, mental and physical, which education gives, to be able to cope with modern intricate life. He cannot even walk safely in the streets, if he doesn't have that discipline.

This is not a problem for which I can see a solution under our existing competitive system and values. It may come with the transformation of our society, undergoing a real moral upheaval.

Conclusion

These are the problems facing us in our attempt to utilize education to the fullest. I am afraid I have pointed you a rather gloomy picture of the

situation, but please do not forget that I have been dealing with problems. There is certainly a bright side of the picture which can be the subject of another talk. I have great faith in our educational service, and I can assure you that the foundation is sound and within its own limits can compare very favourably with the most advanced. One important corner stone we have laid, is the standard in all stages including the secondary. The elementary course is the result of careful study and research and the general features of it have been well established. The Intermediate course is now being treated in the same way. The secondary and higher levels are capable of producing the best results. So given time and means, the will is there and the road is clear before us. We can achieve our goal.

THE ROLE OF THE NATIVE COURTS

IN THE ADMINISTRATION OF JUSTICE IN THE SUDAN

by

M. I. EL NUR

From time immemorial the Sudan with its predominantly nomadic and widely scattered tribes, had very rarely, if at all, been directly ruled except in towns and district where comparatively small bodies of officials sat and exercised some administrative control under the direct supervision of the central ruling authority.

In the Fung Sultanate for instance the sovereign sat in Sennar and ruled the country indirectly through the heads of the tribes, then commonly known as Meks, Arbabs and Mangils, who paid allegiance to him. And during the Egyptian rule, known here as *El-Turkiya El-Sabga*, the limited number of officials who ran the Government under the Governor-General, representing the Viceroy of Egypt in the Sudan, rarely went beyond towns and Government seats and penetrated into the isolated and scattered tribal areas. They equally relied on the tribal heads and Chiefs in the internal discipline of their people.

Similarly was the case in the Mahdiya, where except in the capitals where the strong grip of the Khalifa was consciously felt by all, Amirs and 'Amils were sent out mostly to collect taxes and to deal with major problems of rule, leaving the internal affairs of the tribes in the hands of their Sheikhs and heads who were vested with certain powers.

Thus, throughout those stages of the Sudan history, the various tribes possessed administrative structures of their own, and their Sheikhs, either personally or through *Magalis* of elders appointed by them, exercised powers of of settling the inter-tribal disputes and inflicted punishments which were necessarily compensatory.

Upon the re-occupation of the Sudan in 1898, for the purposes of security, and stabilization of the new rule, the Condominium Powers established direct rule in the Sudan. Every administrative decision was taken and every administrative act was done by a body of officials working under the direct and close control of the Central Government. The Sudan was divided into 14 Provinces. Each Province was run by a British Governor assisted by District Commissioners and Mamurs in the various Districts within his Province. The adventurous young District Commissioner, vested with both administrative and judicial powers, trekking on camel-back or riding a mule

1. Paper presented to the Philosophical Society of the Sudan, 27 December 1959.

or even walking on foot, penetrated into every corner of his District, meeting his people, studying their problems and their history and customs. He heard the individual disputes put before him and gave his judicial decisions according to law with due regard to their local customs and traditions. The heads and Chiefs of tribes were mostly recognised in their positions as such, appointed Nazirs or Chiefs or 'Omdas, and vested with minor administrative powers to assist the District Commissioners in the control of their people; and, though they were not given any judicial powers, their people still continued to go to them with their minor disputes, and they acted in them as *'ajawid* and settled them according to their respective local customs.

In the meantime the Sudan Government immediately enacted laws and under them established Courts of Law for the administration of justice throughout the Country in the following manner :-

(1) Sharia Courts were constituted under the Mohammedan Law Courts Ordinance with powers to decide :-

(a) any questions regarding marriage, divorce, guardianship of minors or family relationship, provided that the marriage to which the question related was concluded in accordance with Mohammedan law, or the parties are all Mohammedans.

(b) Any question relating to Waqf, gift, succession, wills, interdiction or guardianship of an interdicted or lost person, provided that the endower, donor, or the deceased or the interdicted or lost person is a Mohammedan.

(c) Any question, other than those mentioned above, provided that all the parties, whether being Mohammedans or not, make a formal demand signed by them, asking the Court to entertain the question and state that they agree to be bound by the ruling of Mohammedan Law.

(2) Criminal Courts, constituted under the Code of Criminal Procedure with powers to try all offences under the Sudan Penal Code as well as all offences against any other laws, according to the Provisions of the Code of Criminal Procedure, subject to any enactment for the time being in force regulating the manner or place of investigation, enquiring into, trying or otherwise dealing with such offence.

(3) Civil Courts, constituted under the Civil Justice Ordinance which provides in SS.5 and 9 thereof :-

"Where in any suit or proceeding in a Civil Court any question arises regarding succession, inheritance, wills, legacies, gift, marriage, family relations or the constitution of Waqfs, the rule of decision shall be :-

(a) any custom applicable to the parties concerned, which is not contrary to justice, equity or good conscience, and has not been by this or any other enactment altered or abolished and has not been declared void by the decision of a competent Court;

(b) the Mohammedan law, in cases where the parties are Mohammedans, except in so far as that law has been modified by such custom as is above referred to (subject to provisions of S.38 C.J.O.) which provides that "Civil Courts shall not be competent to decide, in a suit to which all parties are Mohammedans, except with the consent of all the parties, any question regarding succession, inheritance, wills, legacies, gifts, marriage, divorce, family relations, or the constitution of Waqfs".

S.9 of the C.J.O., further provides that in cases not provided for by this or any other enactment for the time being in force, the Court shall act according to "justice, equity and good conscience".

In acting according to justice, equity and good conscience, a Judge is not allowed to formulate his own views about what is justice in the particular case before him. The personal views of various Judges may vary on the same point, and as it is said of old "the foot of one chancellor may be bigger than that of the other". So it was incumbent on Sudan Judges where the case before them was not covered by any Sudan Law for the time being in force, to look into any other system of Law, or the views of Jurists, to find what was considered justice in such a case. For this reason the early Judges of the Sudan who were mostly British looked into the system which they knew best. This was the general principles of English Law, and they based their decisions on it without ignoring any custom covering the case in the Sudan. To this may be added that most, if not all, of the enacted substantive law issued by the Government was based on, if not completely borrowed from, English Law: to give examples : the Bills of Exchange Ordinance and Companies Ordinance. Thus the Sudan Judges in resorting to the English Law system as a strong influence have since formulated a Common Law of their own, and are still

continuing to do so. That explains why we are teaching the English Law system in our Law School of the University. As one of our great former Judges said : "We are guided but not governed by the rules of the English Law".

The Sudan Government having thus established Law Courts for dispensation of justice throughout the country, and vested District Commissioners, Assistant District Commissioners, and Mamurs, in their remote and isolated districts, where no proper Courts were established, with powers to try Criminal cases under the Code of Criminal Procedure and hear and determine Civil disputes under the Civil Justice Ordinance, had completed the organsation of its direct rule of the Country.

And so by the year 1914 when the foundation of Law and Order had been well and truly laid down, it was considered that the way was open for an advance towards a less direct method of administration, but the Great War came and held up the plans for development.

In 1922 the Sudan Government was aroused from its slumber by the comment about the Sudan in Lord Milner's Report which ran as follows :-

> "Having regard to its vast extent and the varied character of its inhabitants, administration of its different parts should be left, as far as possible, in the hand of the Native Authorities, wherever they exist, under British supervision".

As a result of this report, the Sudan Government started to design a policy aiming at a decentralized control over the administration, judicial and financial, of the Sudan, which was to be entrusted to the people of the Sudan. The devolution on the judicial side came first because it was most familiar and understandable to the people, and then followed after a long internal devolution in the administrative and financial spheres, by the introduction of Local Government.

The steps of devolution on the judicial side were taken gradually and with great caution. It was first started by the issue of the *Powers of Nomad Sheikhs Ordinance*, 1922. The preamble of that Ordinance read as follows :-

> "Whereas it has from time immemorial been customary for Sheikhs of Nomad tribes to exercise powers of punishment upon their tribesmen and of deciding disputes among them, and whereas it is expedient that the exercise of these powers should be regularized".

This Ordinance authorised Governors, with the consent of the

Governor-General, to grant powers to Sheikhs of nomad tribes, subject to Governors' administrative jurisdiction, to punish offences committed by and settle disputes among members of their own tribes who were under their authority, subject to a right of appeal to the District Commissioner or Governor. No punishment other than fine could be imposed under this Ordinance, and the maximum fine that could be imposed was £E. 25 or its equivalent in kind if the Sheikh sat in a Maglis of elders of the tribe; or £E.10 if the Sheikh sat alone. Strangely enough, and perhaps in recognition of an old custom of some tribes, the said Ordinance provided that :-

> "a fine when imposed, may be made payable either to the Sheikh who tried or presided over the trial of the accused or to the aggrieved party, or shared between the two".

The members of the Council of elders who sit with a Sheikh for the trial of an accused are precluded by the Ordinance from receiving any share in the fine.

The offences that could be tried by Sheikhs under this Ordinance amounted to 21 in all. Most of them were equally offences under the Penal Code, including some very serious offences like rape, the punishment for which under the Penal Code may extend to 14 years imprisonment; and some constituted no offence under any other Law and were considered as offences according to Custom only, like abuse as distinct from insult and disobedience of a reasonable order.

Powers under this Ordinance were given to 114 Sheikhs of nomad tribes in the eight Provinces of the Northern Sudan, excluding Khartoum Province.

In 1925, the *Village Courts Ordinance* was issued. It authorised Governors of Provinces to which it was made applicable to constitute Village Courts for any village or group of villages. Such Courts were to be convened of a President and appointed members and were to have jurisdiction to try specified minor offences and award fines not exceeding £E. 2 and hear and determine Civil Suits not exceeding £E. 2 in value.

Consequent on the recommendation of the Northern Governors' Meeting, for further devolution on the judicial side, the *Powers of Sheikhs Ordinance,* 1927 was issued. It was an adaptation and extension of the *Powers of Nomad Sheikhs Ordinance,* 1922. It regularised the powers which the Sheikhs habitually exercised, and allowed for their extension to correspond with their increased administrative responsibilities, and encouraged the

administration of Tribal and Local Customary Law within reasonable limits by tribal and local authorities.

The Ordinance of 1927 further provided for the establishment of Courts by Warrant signed by the Governor-General. The powers of each Court and the offences of which it can take cognizance are specified in the Warrant establishing it.

In 1928 discussion with Governors of the practical application of the *Powers of Sheikhs' Ordinance,* 1927, to the varied conditions obtaining in different Provinces revealed the necessity for certain amendments. So the Ordinance was repealed and re-enacted as the *Powers of Sheikhs Ordinance*, 1928. The object of this latter Ordinance was to increase the measure of devolution under supervision, to native, tribal and territorial authorities and to effect an eventual reduction of expenditure upon administrative machinery in the Provinces. There was no conspicuous contrast between the repealed 1927 Ordinance and the Ordinance of 1928 replacing it; except in so far as the scope of the 1928 Ordinance was wider and covered the whole Northern Sudan in a more elaborate manner, and that under it a Sheikh's Court, though not the Sheikh when exercising his individual powers, was granted powers of imprisonment. The offences of which a Sheikh's Court, constituted under the 1928 Ordinance, could take cognizance, covered a very wide field of offences under the Sudan Penal Code but excluded the very grave offences of homicide, offences against the State, kidnapping, robbery and offences against other Government Ordinances.

No right of appeal existed against the decisions of Sheikhs' Courts under the 1927 and 1928 Ordinances but the Governor or District Commissioner could of his own initiative intervene and take such action as he deemed fit.

In 1928 also, another step was taken by making natives of the Sudan share in the administration of justice according to Law, as opposed to Custom. Town Benches of Magistrates were constituted under the Code of Criminal Procedure to sit in the various towns, which are more or less cosmopolitan and whose residents do not follow any single native custom. Selected numbers of the notables of such towns were appointed 3rd. Class Magistrates for the purpose of sitting in these Benches. A Bench is to be constituted of three 3rd. Class Magistrates, by rotation, one of them to be the President.

Most of the Benches so constituted are vested with powers of a Magistrate of the 1st. Class sitting summarily : that is to pass imprisonment

for a term not exceeding three calendar months, or inflict a fine not exceeding £E. 20.

Only very few Benches were given the ful (i.e., non-summary) powers of a 2nd. Class Magistrate; that is, to pass a sentence of imprisonment up to six months or award a fine of up to £E. 50.

Town Benches are competent to try offences under the Sudan Penal Code or other Ordinances within their powers as referred to them by the Police Magistrate to whom they are subordinate.

There are now about 27 Town Benches which tried no less than 36,432 cases in 1958.

In the Southern Sudan, Chiefs' Courts were started on an experimental basis in 1923, without legal authority, until legalised in 1931 by the issue of the *Chiefs' Courts Ordinance,* 1931. Under that Ordinance, Chiefs Courts were divided into three classes, as follows :-

(a) A Court of a Chief sitting alone.

(b) A Court of a Chief sitting with members.

(c) A Special Court.

Courts of a Chief sitting alone or with members were constituted by Warrants signed by the Governor-General, defining the powers of the Court and the limits of its jurisdiction. They were empowered to deal with Civil Suits in which all the parties were natives of their territory and criminal cases in which the accused person was a native of their territory.

The Courts were to apply the Native Law and Custom prevailing in the area over which the Court exercised its jurisdiction provided that such Native Law and Custom was not contrary to justice, morality or order; and subject to conditions of their warrant they might, in case of conviction of offences impose fine, or imprisonment, or both; and in the case of males, flogging or whipping.

Special Courts were to be convened by Governors, with the consent of the Governor-General, if he thought the ends of justice would be served thereby in any of the following cases :-

(a) Where the accused is subject to the jurisdiction of one Chief and the Complainant is subject to the jurisdiction of another Chief.

(b) Where the accused is himself a Chief.

(c) Where the alleged offence is of such gravity that the powers of any other Court having jurisdiction appear to be insufficient.

At last an Ordinance which is still in force was passed under the title of *The Native Courts Ordinance, 1932.* It repealed, but enacted the powers of, *The Sheikhs' Ordinance, 1928* and *The Village Courts Ordinance, 1925.* The new Ordinance is intended to apply throughout the Northern Sudan.

This Ordinance divided the Native Courts into five classes, viz :-

(a) Sheikh's Court with a Sheikh as President sitting with members;

(b) A Court of a Sheikh sitting with elders in Majlis;

(c) A Village Court;

(d) A Court of a Sheikh sitting alone.

(e) A Special Court.

Courts, except Village Courts and Special Courts, are established by Warrants. A Village Court is set up by written order from the Governor or more recently by the Province Judge or Judge of the High Court. A Special Court is now convened with the approval of the Chief Justice if it is thought that the ends of justice will be better served thereby. Special Courts are reserved for genuine inter-tribal fights.

The Warrants for establishment of Courts have undergone several modifications and taken different forms, until ultimately a sort of model comprehensive Warrant has been evolved.

Under the model, Warrant Courts are classified into :-

(1) Main Courts.

(2) Regional Courts,

(3) Branch Courts.

Regional Courts are Courts with powers intermediate between Main and Branch Courts. Branch Courts are the smallest Courts to have powers of imprisonment.

Majlis Courts (a Sheikh sitting with elders) with powers of fine up to

£S. 10 only, are no longer established and those already existing are in course of elimination.

The jurisdiction of each Court, its membership, quorum, powers and the mode of appeal are set out in the Warrant of the Court.

Native Courts have powers to try Shari'a cases under the Mohammedan Personal Law. An 'Alim member sits as a member of the bigger Courts and gives the decision. Smaller Courts with no 'Alim member are precluded from hearing Shari'a cases.

Native Courts are competent to try natives of Africa outside the Sudan other than Egyptians; and in certain cases, Government officials with the approval of the Resident Magistrate.

The powers of imprisonment of Main Courts very from 7 years to 3 months and the powers of Branch Courts vary from 5 years to 2 months' imprisonment. The fining powers of Main Courts vary from £S. 100 to £S.10.

The decisions of a Branch Court are appellable to the Main Court. Those of the Main Court are appellable to the Resident Magistrate and those of the Resident Magistrate are appellable to the Province Judge or Judge of the High Court in the area. Thus there is a great latitude of appeal from the decision of any Native Court for a person aggrieved.

At present there are about 690 Native Courts in the Northern Sudan and 300 Chief's Courts in the Southern Sudan. They all dispense justice according to Native Law and Custom. There are 27 Town Benches constituted under the Code of Criminal Procedure, but run by Lay Native Magistrates. The State Courts proper, applying Law, in addition to the High Courts of Justice in both the Civil and Shari'a Divisions, comprise 44 Province and District Courts applying both Civil and Criminal Laws and 46 Shari'a Courts applying Mohammedan Law.

The statistics for the year 1957-1958 show the number of cases tried by each group of the above mentioned organs of justice as follows :-

		Cases
1.	STATE COURTS APPLYING LAW :	
(i)	Civil Courts	18,445
(ii)	Criminal Courts (Other than Town Benches)	24,676
(iii)	Town Benches (Under lay native magistrates)	36,432

(iv) Shari'a Courts	20,893
Total	100,446

2. NATIVE & CHIEF'S COURTS :

Applying Native Law and Custom

Criminal Cases	77,834
Civil Suits	28,619
Shari'a & Family relation cases	17,209
Total	123,662

Thus it can be said that the Native and Chiefs' Courts are dealing with 55% of the judicial work in the Sudan.

THE NILE WATERS QUESTION IN INTERNATIONAL LAW

by

C. D' O. FARRAN

International Law is the system of rules which governs the relations between sovereign States. It differs from the ordinary internal law of a country mainly in that its methods of enforcement are different. There is as yet no real international police force - not even the United Nations Emergency Force in Egypt could have claimed to be that. Instead, the rules of international law depend for their enforcement on various indirect means. For example, a State which violates international law by breaking a treaty which is still binding on it, will thereby tend to acquire a reputation for unreliability and may find it very difficult to persuade other States to trust its pledged word in the future.

Grotius, the Dutch "Father" of International Law, rightly put at the basis of his whole system of rules the absolutely fundamental principle - *pacta sunt servanda* : treaties must be observed. If they are not, then International Law will no longer have any meaning. The very Charter of the United Nations will be treated as a mere "scrap of paper", utter lawlessness will prevail. If that should happen, Might would triumph over Right, the weakest States would go to the wall. Chaos would reign. The smaller, less well-armed States would be the first victims.

An international treaty is not a mere arrangement of convenience, to be torn up as soon as it suits the immediate interests of a State to do so, but a solemn pledging of a State's whole national reputation to the fulfilment of obligations which are voluntarily undertaken - obligations which are in practice almost invariably reciprocal and benefit both sides. Otherwise they would never have been signed. Some Sudanese commentators on the Nile Waters controversy have spoken too lightly and too short-sightedly of breaking off the Treaty, even if it is legally binding. Much to be preferred is the official contention of the Sudanese Government, which as far as I am aware, has always taken its stand on the point that the 1929 Waters Agreement is not binding on the Sudan in international law and therefore need not be observed. That is a view which, after taking the advice of properly qualified international lawyers, as has been done in this case, it is always permissible to hold.

Before examining the question of whether the Sudan Government is justified in this attitude, which must necessarily be supported by convincing technical legal arguments, there is one other point to be made.

It is often assumed by Sudanese commentators that if only the 1929 Agreement can be got out of the way, if only it is not binding on the Sudan, then everything will be *couleur de rose,* - that the Sudan will then have a free hand to do absolutely anything she likes with the Nile Waters.

International Law does not consist only of treaties, although nowadays they account for perhaps eighty per cent of its rules. States are also bound by international law rules of customary origin and by what are called "the general principles of law recognised by civilised nations" 1. These customary rules distinguish rivers into two main categories : a) national rivers. These are those which have their source in, and run their whole course through, the territory of a single State. The Thames in England, the Missisippi in America, are examples. As to these the State through whose territory they run has complete sovereignty and control. It may divert them, or ban them to foreign shipping, or dam their flow completely 2.

b) International rivers. These are in a wholly different case. By an international river is meant one which, on its journey between its source and the sea, passes through the territory of two or more different States. The Nile is very clearly an example of such an international river. By the customary rules of international law - which prevail in the absence of special treaty arrangements - none of the States through whose territory the river in question passes is wholly sovereign over it, in the sense of being able to divert its waters to its own exclusive use, but must treat the river as a matter of international concern, to be jointly used for the benefit of all the riparian States. At its Forty-Seventh Conference at Dubrovnik in Yugoslavia, 1956 (a conference at which the Sudan was represented by Sayed Ahmed M. Atabani) the distinguished International Law Association adopted a resolution which embodies these customary rules. 3 We may note two Articles :

> "III. While each State has sovereign control over the international rivers within its own boundaries, the State must exercise this control with due consideration for its effects upon other riparian States".
>
> "V. In accordance with the general principle stated ... above, the States upon an international river should ... weigh the benefit to one State against the injury done to another through a particular use of the water. For this purpose, the following factors, among

others, should be taken into consideration :

a) the right of each to a reasonable use of the water;

b) the extent of the dependence of each State upon the waters of that river;

c) the comparative social and economic gains accruing to each and to the entire river community;

d) pre-existent agreements among the States concerned;

e) pre-existent appropriation of water by one State". 4

By way of comment on these provisions, it may be said that it is the States lower down the river than the State (or States) controlling the source which have most to lose by the non-observance of these principles. If some such rules did not exist, the Sudan, as well as Egypt, would be indeed in a very precarious position as regards the Nile, for 84 per cent. of the river waters which conflow at Khartoum have come from inside Ethiopia, and almost all the remaining 16 per cent. from other territories outside the Sudan. This means that it does not lie in the mouth of the Sudan to argue that an upper riparian State may take as much of the waters as it wishes, without regard to the needs of the lower riparian States. If the Sudan invoked this principle, what guarantee is there that Ethiopia will not do the same? "Sauce for the goose is sauce for the gander" expresses the truth that he who invokes a true or supposed rule of international law for his own advantage today, cannot deny its existence for someone else's benefit tomorrow.

The rules of international law have the peculiar characteristic that what is one year a weapon of defence for one's own national interests may turn out next year to be an equally effective weapon of defence for some other State against ourselves. Kingsley's principle of "Do as you would be done by" applies to international legal relations : even more strongly does "Be done by as you did".

I have mentioned these points, and the Resolution of the International Law Association, in some detail, because I believe that much of the Sudanese desire not to be bound by the Nile Waters Agreement of 1929 was based on the misunderstanding that if only that Agreement can be argued away, the Sudan can do exactly what it thinks fit with the Nile Waters. This is not so. Even in the absence of the Agreement the Sudan would still have been bound to deal with the Waters of the Nile on the basis that it is an international river governed by the rules of customary international law. One

further point : a major cause of the dispute between Egypt and the Sudan has been on the question of proposed new works, which by the 1929 Agreement can only be carried out if the prior consent of Egypt has been obtained. How would this matter stand if there was no 1929 Agreement or if it is not, as the Sudanese Government maintains, binding in international law on the Sudan? Here again we may refer to the Resolution of the International Law Association, which tells us that :

> "VI. A State which proposes new works (contruction, diversion ect.) or change of previously existing use of water, which might affect utilization of the water by another State, must first consult with the other State. In case agreement is not reached through such consultation, the States concerned should seek the advice of a technical commission; and, if this does not lead to agreement, resort should be had to arbitration 5"

Hence, even if the 1929 Agreement were not binding, the Sudan and Egypt should not commence new irrigation or reservoir projects without prior consultation - a rule as much binding on Egypt, of course, as on the Sudan. Should agreement be impossible to reach, resort would be had to arbitration - and best of all to arbitration and decision by the International Court of Justice at The Hague, for reasons which I shall develop later in this lecture.

To sum up : first, strict compliance with binding treaties is fundamental to international good order and discipline, and in the long run is in the best interests of the sovereign States concerned. Thus the Sudan could not have refused to carry out the 1929 Agreement if it was in fact and in law binding on her. Secondly, even if the 1929 Agreement had not been binding on the Sudan, she would still not have had an entirely free hand over the Nile waters passing through her territory, but would have had to use them with due regard to Egypt's legitimate interests, on pain that, if she exercised such a free hand, Ethiopia would almost certainly feel entitled to do the same. There was thus perhaps not quite so much to be gained for the Sudan by denying the binding character of the 1929 Agreement as some Sudanese observers have supposed. We will now turn in the second half of the lecture to the question whether it was binding on the Sudan.

II

A treaty may be defined as an agreement in writing between two or more sovereign States intended to regulate their legal relationships with one another. The necessity of the participation of at least two sovereign States is to be noted By this test the celebrated Condominium Agreement of 1899 was

almost certainly *not* a treaty having binding force in international law, since at that date Egypt was not a sovereign State or International Person (an entity having the capacity to take rights and incur obligations under international law). She was only an autonomous province of the Ottoman Empire, under British military occupation, as Lord Cromer expressly pointed out in his Memorandum of 10th. November, 1998. 6. However, it would appear that the 1929 Agreement can not be disposed of by this argument *in limine* that it is not an international treaty. Egypt had been recognised by Great Britain in 1922 as a sovereign State, while reserving for future agreement certain matters in which Great Britain was particularly interested, including the Suez Canal and the question of sovereignty over the Sudan. Hence the 1929 Agreement was indubitably an international treaty, binding on the signatory States at the time, whatever may have happened to it since. But a further point arises. Could Great Britain, by signing a treaty with Egypt, bind the Sudan as to its future conduct? It is clear that a State may bind any portion of its own territory, whether, in the case of a colonial Power, its home territory is concerned or whether an overseas territory, such as a colony or colonial protectorate.

We may regret this, but we can not doubt that it represents the established position in international law. Just as a dictatorial government - such as those at present in power in South Africa or in Hungary - may bind its citizens by means of an international treaty, so a colonial Power which is responsible for a certain territory may bind its inhabitants in international law. But here there is a latent difficulty of some importance. Great Britain, as we all know, never annexed the Sudan and made it British territory. How then can it have acted in its name in the international law? Could the Sudan not claim that, as it was never in law a colony, it was not and had never been bound by the rule as to colonies just mentioned? Some support for this view is to be found in the 1899 Agreement, so often referred to as having created a "Condominium". As has been pointed out by specialist historians 7, it does not in terms do so, but merely lays down that for the future the Sudan shall be under joint Anglo-Egyptian administration. The status of that territory in international law was not affected - nor could it be, as this was not an international treaty. Nor was the titular sovereign - the Ottoman Empire - invited to be a party. This is an intriguing argument, that as the Sudan was never British, or even Anglo-Egyptian territory, it could not be bound by Britain in international law. Yet the logical difficulty is that if the Sudan was *not* a British possession, then it remained what it had been before 1899 - an Egyptian possession, and indeed it is to be noted that in the 1899 Agreement the Sudan is referred to as being certain "provinces" of Egypt - not as being

a distinct State, which it clearly was not at that date. If, then, it was Egyptian territory, it could be bound by *Egypt's* signature to the 1929 Agreement, a rather droll result of this argument! On consideration, however, I do not think that this argument can be put forward with any seriousness. Right from the start in 1899 Great Britain made it clear that she was going to handle the foreign affairs of the "liberated" provinces comprising the modern Sudan. The 1899 Agreement, it is true, does not expressly refer to the treaty-making power, but its only reference to foreign affairs shows that Britain firmly intended to treat them as her responsibility. Article XI states that "No consuls, vice-consuls or consular agents, shall be accredited in respect of, nor allowed to reside in, the Sudan, without the prior consent of Her Britannic Majesty's Government. We may note that it was not the consent of both Britain and Egypt, but only that of Britain which is mentioned. This was natural, for Egypt's own foreign relations were at that time in the hands of Great Britain, which made treaties for her also 8. Thus Great Britain had from 1899 international responsibility for the Sudan and could make treaties affecting the Sudan. Egypt's consent was not necessary, even after she had attained sovereignty for most other purposes in 1922, as nothing happened at that time to affect the position of the Sudan. We thus reach the provisional conclusion that the 1929 Nile Waters Agreement was a treaty binding at least at the time it was made, on both Egypt and the Sudan. Nor need it be supposed that there was anything harsh or unconscionable in the terms of the treaty at that time. Looked at in the circumstances of 1929 it was a perfectly reasonable arrangement. Sayed Mekki Abbas has written that "no complicated problems arose in the past when Egyptian agriculture depended on the floods and on primitive methods of irrigation and when the peoples inhabiting the upper basin of the river relied much more on the rains for their agriculture than on the river". 9 Another point is worthy of note. It could have been argued that in 1929 the rule of international law relating to international rivers was that the whole flow of the river must be allowed to come down-stream without diminution. This was because the rules as to international rivers as then understood had been evolved in continental Europe, where the importance of international rivers, such as the Rhine and Danube, while very great, lies in their use as a means of communication, irrigation being almost unheard of. Thus it may have been thought to have been a general principle of law (then) recognised by civilised States that a riparian State could, like the private owner of a riverside property in European legal systems, only use the water for strictly limited purposes, most of which involve replacing the water in the river after using it for washing or cooling processes. 10 If this was so - however mistakenly - it would mean that the

1929 Agreement was, as the law then stood, beneficial to the Sudan in that it was allowed to abstract *some* of the water for irrigation purposes, albeit only one-twenty-second part of the flow. Egypt could have argued that since by immemorial custom *all* the Nile waters had reached her shores, it was an act of generosity on her part to yield the Sudan permission to abstract even this small proportion. Moreover, it must be remembered that the Agreement was the fruit of the acceptance by the two States of the report of the Nile Waters Commission of 1925. The *Sudan Almanac* observes that "this report and agreement are recognised by experts as models of how such problems should be envisaged and solved; by viewing the economic use of the Nile as a whole, recognising the possibility of better solutions, by cooperation and good faith, as Nile control advances, and providing that in any future review all established irrigation should be respected". 11 Most of us lack the technical knowledge to dispute this assertion. My conclusion is thus that there was nothing inherently unjust or unreasonable about the 1929 Nile Waters Agreement at the time at which it was made.

The Sudanese Government, in its official opinion on this question, may well agree with all the points which I have so far made : that the 1929 Agreement was an international treaty binding on the Anglo-Egyptian Sudan and that it was not unreasonable at the time when it was made, but they would, I believe, deny that is was binding on the sovereign independent Republic of the Sudan, as she has not as such signed or accepted the treaty as binding upon herself. This raises the technical problem of what is called "State Succession", which has to deal with the question that the number of sovereign States in the world is not immutable or their territory fixed for ever. In the last few years we have seen the emergence of a very large number of new sovereign States, particularly in Africa.

The problem is to what extent such new International Persons are bound by the treaties signed by their predeccessors. Can, for example, Egypt claim to ignore the Suez Canal Convention of 1888 on the grounds that she was not a signatory of the Convention, being then a part of the Ottoman Empire, which signed the Convention? There are clear rules of international law to deal with this problem. A distinction is drawn between "general or political treaties" on the one hand, and "local and territorial treaties" on the other. A new State, albeit the successor-in-title of the previous sovereign, is not bound by treaties falling within the former category, but is bound by the latter type, which have created real "acquired rights" in other States. Thus the Suez Canal Convention is clearly of the "territorial" type, as it gave a right of passage to ships of other States to pass through the Canal. Changes

in the sovereignty over Egyptian soil, from Ottoman Empire to Britain, from Britain to Egypt, from Egypt now to the United Arab Republic, can not affect this vested right of passage which is territorial in character. This has never been denied by Egypt, which expressly agrees that she is bound by the 1888 Convention. 12 Is then the Nile Waters Agreement of 1929 of the "political" or of the "territorial" type? I have come to the conclusion that it is clearly of the "territorial" type and was therefore, if it was binding on the "Condominium" or Anglo-Egyptian Sudan, binding on the new sovereign State of the Sudan when she achieved her independence. Dr. O'Connell, an Australian expert, in his book *The Law of State Succession*, after a careful study of the authorities, lists among territorial treaties, which are thus binding on a successor State, "rights of fishery and navigation of national waterways, rights to draw on such waterways for the purposes of irrigation, or the generation of hydro-electric power". 13 Sir Hersch Lauterpacht, a judge of the International Court of Justice, in his classic work on international law, does not expressly mention irrigation treaties, but clearly includes them when he lists as territorial : "such international rights and duties of the extinct State as are locally connected with its land, rivers, main roads, railways and the like. According to the principle *res transit cum suo onere*, treaties of the extinct State concerning boundary lines, repairing of main roads, navigation on rivers and the like, remain valid, and all rights and duties arising from such treaties of the extinct State devolve on the absorbing State". 14 In order to make sure of the impartiality of these views, (as both were in English), I turned at random to a Spanish work on international law, that of Professor José Ramon de Orúe. He does not expressly mention rivers, but lists as binding on the successor State those treaties which contain territorial clauses or which create servitudes. 15 This last is a technical term, but one which clearly covers water right 16, such as those granted to Egypt - and the Sudan - by the 1929 Agreement. There is thus a wide consensus of professional opinion that a successor State is bound by territorial treaties (including river treaties), made by its predecessor-in-title - a view which has been fully upheld by the Permanent Court of International Justice at The Hague in the *Free Zones of Upper Savoy Case*. 17 Thus the Sudan could not rely on her newly found sovereign independence to throw off her obligations under the 1929 Agreement. if such obligations were still binding on the "Condominium" in 1955. For this purpose the question is irrelevant whether or not the Republic of the Sudan has "reserved the right" to pick and choose which pre-independence treaties it regards as binding. It has the right to do so with regard to treaties of the other type, "political or general". Among them, it may pick and choose, for none of them is binding on the new State of the Sudan until her agreement, express or

implied, has been given to them. But, as I have shown, territorial treaties, such as those giving water rights, are binding regardless of the consent of the new State. The present day Sudan is as much bound as the Condominium was in 1955 : no more, no less.

Does all this lengthy argument mean that the 1929 Agreement is still binding on the Sudan? On that contrary, I believe that the Sudan had a good arguable case that she was no longer bound by the 1929 Nile Waters Agreement. There are also arguments on the Egyptian side, which I have put before you. But I have been careful to stress that the Agreement was only binding on the Sudan if it was binding on the "Condominium" in 1955. In my submission it was not so binding, owing to what is called the *"rebus sic stantibus"* or "circumstances remaining unchanged" rule. This is a technical rule of international law, which is not easy to explain; but it may perhaps be put thus. A treaty which on its terms appears to be intended to last for ever, must be understood to contain an implied understanding that fundamental circumstances will remain the same. A treaty, it is argued, is made at a certain historical moment. At that moment the parties have certain facts in mind. If the facts change very radically, the whole basis of the treaty is affected. Thus we may take as an example the many treaties made between the British in India and the various Maharajahs and Nawabs of the Indian Native States. In these the Princes acknowleged the suzerainty of the British Raj, and the Raj in return guaranteed them in the possession of their thrones and revenues. When in 1947 the British withdrew from power in India, the whole basic circumstances altered. The British could no longer ask for loyalty from the princes; the princes could no longer ask Great Britain for protection. Consequences of this difficulty still survive in the thorny problem of Kashmir. Similarly, if the Sudan could show that there has been a radical change of circumstances since 1929, it may rightly claim that the Agreement was no longer binding. Yet this rule of *rebus sic stantibus* must be handled carefully. Otherwise any State which wished to wriggle out of its treaty obligations, could easily do so by invoking this doctrine, basing it on some minor change in the circumstances of the two States in question. This has led to some professional attack on the rule as being liable to lead to anarchy. Perhaps the best view is the compromise one that a fundamental change of circumstances does not give the State in question a right to denounce the treaty by unilateral action, but rather to ask some international authority to recognise that the treaty is no longer binding. Article 28 of the Harvard Research Draft Convention on Treaties explains the rule thus :

"A treaty entered into with reference to the existence of a state of

> facts, the continued existence of which was envisaged by the parties as a determining factor moving them to undertake the obligations stipulated, may be declared by a competent international tribunal or authority to have ceased to be binding, in the sense of calling for further performance, when that state of facts has been essentially changed". 18

Lauterpacht takes almost exactly the same view :

> "When a State is of the view that the obligations of a treaty have, through a vital change of circumstances, become unbearable, the proper course is for it first to approach the other party ... and request it to agree to the abrogation of the treaty. If the party ... thus approached refuses to accede to the request - which ought to be coupled with an offer to submit any disputed issue to judicial determination - then the requesting State may be justified in declaring that it can no longer consider itself bound by the treaty". 19

Thus the Sudan could have called on Egypt to agree to the question of the continuance of the 1929 Agreement being placed before the International Court of Justice at the Hague. If Egypt had agreed, the Court would have listened with complete impartiality to the technical arguments of both sides. I believe that it would have given judgment for the Sudan.

Egypt has itself relied on the *rebus sic stantibus* clause in justifying its failure to observe certain treaties, so that the "be done by as you did" principle applies. She can not now deny that rule exists.

In the last resort, then, the matter comes to this. Had there been a sufficient change of circumstances to justify invoking the *rebus sic stantibus* rule? In my submission, there had. The change is not that from the Condominium to a sovereign Sudan. This does not by itself affect the legal position. But the physical and geographical position had wholly changed. We saw that the 1929 Agreement was said to be a good one, as "recognising the possibility of better solutions, by cooperation and good faith, as Nile Control advances". Nile control has certainly advanced enormously since 1929. Far, far more of the "untimely" water can now be stored and used. Modern engineering makes infinitely more work of this character possible. As Sayed Mekki Abbas has said, "since modern engineering knowledge rendered possible the harnessing of the Nile for purposes of irrigation in Egypt, and since the Sudan began to follow Egypt's example in agricultural development, a complicated problem of control and allocation of waters ensued". 20 That

development was in its infancy in 1929. Wholly different factors must be taken into consideration today. The Sudan's need for irrigation water is fully as great today as Egypt's was in 1929. 21 Moreover, the population ratios of the two States had altered. Egypt's population of 14 millions in 1929 has increased to some 19 millions today 22, but the Sudan's population has almost doubled itself, from 5½ million in 1929 to 10 million today. This alone is a truly fundamental change of circumstances, particularly as this appears to have been the basis of the 1929 allocation of water. If the relative areas of cultivated - or still more, of potentially cultivated - land is taken instead of population ratios the change is even more striking and fundamental and clearly called for the out-and-out revision of the Treaty.

My conclusion is thus that the 1929 Nile Waters Agreement was valid in its origin, but had ceased to be so through failure to adapt itself to these changes in fundamental circumstances. The Sudan was thus not bound by it, but to make the legal position crystal clear she could have called on Egypt to agree to its being legally tested by the International Court of Justice. In ending, may I remind you of what I stressed at the beginning? The Nile remains an international river, treaty or no treaty. Therefore the Sudan must pay a reasonable regard to the rights of Egypt, just as Ethiopia has to do to those of the Sudan. But I submit that for Egypt to have insisted on a strict observance of the 1929 Agreement, which had become obsolete through a fundamental change of circumstances, is wholly unreasonable and therefore contrary to international law.

NOTES

1. Statute of the International Court of Justice, Article 38 (1) (c).

2. Oppenheim, *International Law,* 7th. Edn., ed. Lauterpacht, 1948, Vol. I, Para. 176.

3. In a paper of this type it is not possible to cite in detail authorities showing the existence of these rules as customary rules of international law. Naturally, the Resolution is not in any sense a binding authority. It is cited merely as showing a wide consensus of professional opinion from many countries. Sayed Atabani spoke against certain aspects of the Resolution, particularly Article V (d) and (e), *(Conference Report,* pp 228ff).

4. ibid., pp. 241-42.

5. ibid., p. 242.

6. Text of this, and of the Agreement, in Mekki Abbas, *The Sudan Question*, Appendices.

7. A.A. El Erian, *Condominium and Related Situations in International Law* (1952), "Conclusions".

8. This de facto assumption of responsibility for Egyptian and Sudanese foreign affairs of course became *de jure* through the Proclamation of a British Protectorate in 1914 - an act ratified by the Ottoman Empire in the Treaty of Lausanne, Article 17, renouncing "all right and title over Egypt".

9. *The Sudan Question*, p. 74.

10. Even in the latest edition - 8th, 1955 - of Oppenheim's great classic *International Law* (edited by Lauterpacht) the rule is stated thus :
"The flow of not-national, boundary, and international rivers is not within the arbitrary power of one of the riparian States, for it is a rule of International Law that no State is allowed to alter the natural conditions of its own territory to the disadvantage of the natural conditions of the territory of a neighbouring State. For this reason a State is not only forbidden to stop or divert the flow of a river which runs from its own to a neighbouring State, but likewise to make such use of the water of the river as either causes danger to the neighbouring State or prevents it from making proper use of the flow of the river on its part". (volume II, paragraph 178c).

11. 1958 edition, p. 90.

12. See e.g. Anglo-Egyptian Treaty, 1954, article VIII.

13. pp. 51-52.

14. *op. cit. sup.*, paragraph 82.

15. p. 192.

16. Servitudes in all known systems of municipal law include comparable rights to the supply and use of water.

17. P.C.I.J. Reports, 1929/32, Series A, No. 22 and A/B, No. 46, where a territorial agreement, made between Switzerland and Sardinia, was held to bind France as the successor-in-title to Sardinia over the territory of Savoy.

18. 29 American Journal of International Law (1935), Supplement.

19. *op. cit.*, paragraph 539.

20. An international lawyer is naturally not sufficiently expert to give an opinion on these technical matters, which must be the subject-matter of investigation by competent professional authorities, who might be called subsequently as witnesses before the International Court. It is believed that a detailed scrutiny of the 1925 Report would furnish ample technical grounds for invoking the "*rebus sic stantibus*" doctrine.

21. *op. cit.*, p. 74.

22. This figure, taken from *Whitaker's Almanac* (1956 edition), was the subject matter of contradiction during the discussion following this lecture. The population was put at 22 millions. Could this not have been arrived at by adding the 3 million Syrians, then citizens of the United Arab Republic? To do so appears quite impermissible as they cannot geographically share in the utilization of the Nile Waters. Even if the figure for Egypt itself was really 22 millions, the argument remains a valid one, as Egypt would have had to achieve 28 millions to maintain the ratio.

THREE IMPRESSIONS OF KHARTOUM DURING THE TURKIYA

(from the letters and diaries of Italian Missionaries)

1. KHARTOUM IN 1842 (Fr. Luigi Montuori)

On the 23rd. of March, 1842, I left Gondar for Sennar, in the company of the Belgian Consul-General and many others, who attached themselves to our party.

After six days of perilous journeying, we drew clear of Abyssinian territory and entered that of Sennar, belonging to the Egyptian Government. We stopped for food at the village of Metemma. This village is the first to come under Egyptian dominion and consequently, the first where law and order rule. A few days before I arrived, the Chief and a leading personality had been killed, for having, according to the people, acted unjustly. Leaving Metemma we made our way towards Gallabat, an arid, waterless locality stretching almost as far as Jah-Arif [Gedaref] where the Kashif or provincial chief, who was a Turk, resided, and he warmly welcomed us. From Jah-Arif we crossed the Ghiseldinet desert (mountain of the monkeys) and frequently came across heaps of bones, and skeletons, and the corpses of those recently killed by lions. We thus arrived at Gala, a poor village but not without interest, where the Kaimakam or Governor resides. In addition to beef, mutton and camel meat, ostrich flesh and guinea hens were being sold on the market here very cheaply. As the surroundings of Gala were considered to be dangerous because of the many lions, we were forced to continue our journey about noon, when the sun was at its height, in order to avoid encountering them. After we had been on our way for about half-an-hour we began to hear frightening roars coming from several directions, not more than 40 or 50 feet away. Bones and skulls lay everywhere, whilst sandals and clothes had been torn to shreds and scattered in all directions by the wind. This appalling sight frightened not only the members of our caravan, but also the camels and mules.

* * *

The journey continued, until we reached Abakuras [Abu Haraz]. This is a large village on the banks of the Nile, on the route from Gallabat. At Abakuras, we decided to continue on our way in a small Arab boat along the Nile, and after eight days of pleasant travelling, interrupted only by he interference of thousands of crocodiles encountered along the way, we finally arrived at Khartoum - the capital of the Sudan and the whole of the Sennar,

kingdom of the renowned Mohammed Ali, Viceroy of Egypt. The site on which the city of Khartoum stands is a pleasant one. It would be indeed hard to find a better position for this city, as it stands at the confluence of the White and Blue Niles. Here, the turbid waters of the White Nile, coming perhaps from the famous and much-renowned Niger, and the clear crystal waters of the Blue Nile coming from Abyssinia, converge, change their names and give birth to the Nile proper. This river presents an enchanting sight as it winds its way through the vast desert plains enriching and fertilising Egypt. From this description it will be clear that Khartoum stands on an isthmus - which is shortly to be turned into an island, as the Pasha has ordered a canal to be cut between the White and Blue Niles.

The city has nearly 13,000 inhabitants. With the exception of 200 Copts, a few Catholics, Turks, and Algerians, these are Arabs from the neighbouring provinces. The city itself sprawls in all directions, has wide but irregular roads, as customary with the Moslems. Machines called Saghia - a device for drawing water from the river - are used daily to provide the numerous gardens with water. In addition, the city has large open spaces full of stones and dirt. There is a good bazaar and a beautiful mosque, and these are the only two buildings made from fired bricks, taken from the ruins of the ancient city of Soba, about half-an-hour's distance away. The rest of the houses, including that of the Pasha, are made from sun-dried mud bricks To prevent these from crumbling under the heavy rains, the outer walls are plastered each year with cow-dung which has been soaked in water for four or five days. There is also a military hospital, a printing press, which issues Government bulletins and maps, and medical storehouse.

* * *

The fired bricks from the ancient ruins of Soba will be very useful, especially in the building of the church, although it is with reluctance, that I am forced by necessity to utilise them. In the meantime, I am having the near-by plains excavated, so as not to demolish any ancient ruins.

* * *

Furthermore, I am thinking of opening a small college for the Galla of Suazal, the Dar-Bertul, the Scilluk [Shilluk] and other idolatrous countries, newly discovered along the White Nile by the expeditions ordered by the Viceroy of Egypt, Mohammed Ali. Thus, from all aspects, this Mission in Sennar, may be considered as a headquarters and centre of communications.

* * *

When I was in Abyssinia, I dressed according to the Abyssinian fashion, that is pantaloons, a shirt, a band of white cotton round the waist, and a cloth round the shoulders, whilst the feet and head were bare. Now, I follow the custom here; that is, an open 'caftan' fastened at the sides, white in colour with small red flowers. Over this is worn a long, sky-blue, wide-sleeved coat, reaching the ankle. On the head is worn a tarbush, or red fez, from which hangs a tassel of blue silk, and on the feet a pair of Morocco leather shoes, of Turkish style. When officiating or visiting, I change the tarbush for a white turban. The Catholics and the Copts call me their 'Gassis Katholik' and the Moslems the 'Papas Franco'.

II. KHARTOUM IN 1853 (Fr. G. Beltrame).

The city of Khartoum was re-built on a slightly different site to the previous one. Nearly all the houses, some of which have two floors, are built from sun-dried mud-bricks. The Governor's Palace stands out conspicuous among the buildings. It rises on the banks of the Blue Nile and is constructed of fired bricks: on one side it faces the river, on the other it overlooks a large square.

* * *

As regards the general characteristics and customs of the inhabitants of Khartoum, I must refrain from commenting because the population here consists of at least seven distinct groups, whose customs are quite different. The city of Khartoum is too young, and the merging of the customs of one class with another, has not yet had time to take place, so that each of these different classes bears the stamp of its native race.

The first groups consists of the Europeans, about forty or fifty in number, and most of them are traders, plying between the White Nile, or Khartoum to Cairo. This number remains fairly constant. If anyone falls victim to the unhealthy climate of the town he is replaced by another, generally coming from Cairo or Alexandria.

The second group is that of the Turks. They too, are small in number and are either employed by the Government, or have been banished from their towns by the Viceroy of Egypt.

The third group is made up of Arab traders, more numerous than the Europeans and Turks, and nearly all coming from Upper Egypt. They trade principally in Ciaor [? Jur], Suakin, Fazoql, [Fazughli], Kordofan, and Darfur.

The fourth group is made up by a very limited number of Copts who, as throughout the whole of the east, are scriveners by profession.

The fifth group is made up of the *Fuqaha* who earn their living by teaching children; invent talismans to which they attribute wonderful powers; and sometimes dabble in trade. The school in Khartoum is held four times a day - that is, from four o'clock in the morning until sunrise; then, from eight until half-past nine; then, from one till three in the afternoon; and finally, from sunset until eight o'clock in the evening. The pupils pay their teacher ten para per week, whilst in addition, they are obliged to make him two presents on the two greatest feast days of the year. The greater part of these *Fuqaha* claim to be able to cure the most serious illnesses by writing a few lines from the Koran on a piece of paper, which when rolled, is handed to the invalid, who must keep it tied above his elbow or attached to his hair.

The sixth group include Egyptian artisans, who, for the most part, are coffee-house keepers, bakers, shoe repairers, painters and armourers.

The seventh group, which is the most numerous, is a mixture of Dongolese, Jallaba, travelling merchants, and negro ex-soldiers. Two-thirds of the latter are employed, either as soldiers or boatmen, in the expeditions along the White Nile, carried out by the ivory or slave merchants. At the moment, they are being paid 45 piastres a month.

The five last-mentioned groups of inhabitants have little or no idea of human dignity and self-respect. If opposed, they react very feebly. Sometimes, they may retaliate like sheep, but are convinced that it is useless to fight. Thus, during the period of conscription they show great reluctance to join the armed forces : a few are killed and the rest, without any further opposition, are taken down the Nile on Government boats, followed for several miles by weeping women and children.

There are many amusements, dances and songs in Khartoum, both by day and night. It must be said that such amusements give spontaneous joy to all classes. But despite this, the common feeling of citizenship is missing; it may be true that each loves his own house, and his district but, nevertheless, they recognise no country.

III. KHARTOUM IN 1881 (Fr. B. Rolleri).

Khartoum is situated between the White and Blue Nile, at the very point where they meet and form the great Nile, but the whole of the city is on the Blue Nile. It takes its name from its position - because in Arabic,

Khartoum means "the trunk of an elephant," the strip of land it stands on being this shape. It is very difficult to give an accurate estimate of the number of inhabitants in towns in these parts, because of lack of statistics. However, it is estimated that Khartoum has between 50,000 and 60,000 inhabitants. The city is essentially of Arab style, and the houses, with few exceptions, are built of mud. Each year, a short time before the rains are due, the outer walls are smeared with cow dung so as to prevent the rainwater from seeping through to the inside. However, as soon as the rains have stopped, and the burning sun once more shines, an overpowering stench emanates, which together with the mist from the various marshes, and the lack of cleanliness, makes the atmosphere so unhealthy that there is much fever, which at times proves fatal.

The best houses are the Governor's, the Mission, those of a few European and Syrian traders, and some of the wealthier people. They are all built in the Arab style, with a single storey. For some time past fired bricks of quite good quality, have been cheaply produced, and this is the reason why there are several solidly built dwellings in the city. Rough bricks are also made - that is, bricks dried in the heat of the sun, which are cheaper by half than the fired type. These rough bricks are quite useful because they are used on the inside of buildings, whilst the others are used for the outside. Both interior, and exterior, are plastered with lime and the resulting houses are quite strong and of good appearance. Thus, it can be seen that progress is being made, and that in time Khartoum may become another Cairo, with a new modern part and the old part traditionally Arab.

* * *

At the present time, the building of houses is not expensive. The greatest expense incurred may be said to be the wood necessary for the doors, windows, beams, etc., which must be imported from Europe. In general here, the wood is warped and thorny, and is only suitable for firewood - but to these poor people, who are content with the bare necessities, this local wood has its uses. It is true that there are large forests with beautiful tall trees, some of which are ebony, but they are far off, and there are no means of transport. Moreover, nobody bothers about them.

To cut down costs, even in the solidly constructed buildings, this local wood is used quite successfully, provided the main beam is a good one. As this twisted and thorny local wood is of narrow thickness, strips of it are pressed one against the other, and then covered by a well-stretched kind of netting made from strong date-rope. Mats are then placed over these, and

finally, all is covered with lime, earth, etc. Thus, they do without planks and boards, which are extremely expensive. Apart from some European buildings here and there, glass is not used in the windows. In the Mission house, glass is used only in the church, and in one or two rooms of the house. It is already something for the other window openings to be covered by pieces of cloth.

There are a few earthenware vessels in which food is cooked, and which also serve other purposes; bowls are made out of gourds; there are a few agricultural implements; a few mats, a few angarebs. Everything is made locally.

* * *

The inhabitants of Khartoum are made up of two races - Arab and Negro. I believe that the Negro race is the more numerous.

The wealthy Arabs go about fully dressed, and even more so their women, who also keep their faces covered, leaving only two slits through which to see.

On the other hand, the negroes, of both sexes, have only a thin cotton cloth around their waist, with which they cover their bodies, except for the legs. They wear such apparel only when the weather is either fresh or damp, and they are not working. They never cover themselves in the burning rays of the sun; they remain exposed with the greatest of indifference, and are not harmed in any way. Around the neck, or on the arms they wear charms and amulets, whilst occasionally, one of them can be seen wearing sandals. Some have their teeth sharpened, whilst others have a few of their teeth extracted so as to be able to pronounce better the language of their respective tribes. The women have many bracelets on their arms and ankles, and even on their lips, whilst, around the neck, they wear necklaces of pierced coins. Sometimes, instead of the cotton cloth, they tie a simple band of leather around the waist, from which there hang thin strips of leather about a span wide. Although their hair is frizzy, fine and short, like that of the men, they know how to arrange it and make it look very presentable. Generally speaking, the young boys and girls go about entirely naked until they are about thirteen years old.

The Arabs, and especially the women, paint their nails with a yellowish-colour, extracted from a plant (henna), whilst they blacken their eyelashes with antimony.

Tattooing is also practised, the markings being chiefly on the face.

* * *

AN EARLY MANUSCRIPT ON THE DINKA WRITTEN BY A MEMBER OF THIS TRIBE

Edited and Translated
by
Fr. E. V. TONIOLO

Rev. Fr. Daniel Sorur Pharim Deng, a Sudanese Catholic priest of the Dinka tribe, was born on the left bank of the White Nile.

After adventurous journeys Sorur was by about the year 1871 working as a camel-boy in El Obeid, where Bishop Daniel Comboni met him and saw in the bright and somewhat naughty boy a good future helper.

Sorur was admitted to the local Mission School, then flourishing with over two hundred boys and girls. He was soon the first of the class, showing a special talent for learning languages : he picked up quickly Arabic and Italian.

Daniel Sorur was sent for further studies first to Verona, then to Rome in 1877 to the International College of Propaganda Fide. From 1877 to 1885 Daniel followed the Divinity Courses in Beirut University. There he "was one of the best Students for conduct and academic proficiency".

For some time Daniel taught French and Italian in the Jesuit College at Ghagir in Lebanon, while studying higher Arabic.

On May 8th, 1887 Daniel was ordained a Priest in Cairo, amongst the rejoicing of all the Sudanese Residents at the Gezira-Zamalek.

After a short leave in Italy, he was appointed to run the Mission School of Suakin. He proved to be an excellent Headmaster knowing how to keep the discipline and interest of over 100 children of different nationalities. Fr. Daniel Sorur showed a first class example of courage and self-denial during the Siege of Suakin.

During the years 1890-91 Fr. Sorur toured Europe for alms for the building of the Churches at Helwan and Suakin. He could then speak Italian, German, English, French, and Arabic.

He was particularly loved for his kindness and constant smile. In 1891 he was in charge of the School at Helwan in Egypt.

For nine years he worked heartily for the welfare of the Helwan population : visiting sick persons and helping many of the poor. On January 11th, 1900 Fr. Daniel died assisted by his friend Fr. J. Ohrwalder. Sudanese, Egyptians, and Europeans mourned the death of Fr. Daniel Sorur Pharim Deng.

Deng's manuscript is of special interest. Written by a Dinka himself, it is one of the earliest ethnological descriptions of this tribe and as a source dealing with the culture of the Dinka before its modern acculturation, it will be of permanent value.

The manuscript is now in *Archivio Comboniano* in Verona where I found it and translated it from Italian into English.

FROM THE NOTEBOOKS OF DANIEL SORUR

THE DINKA OR GIENGHE :

Dinka is a name foreign to our language; and if it is in the Dinka vocabulary, then it can only be a corruption of Gien - Gienghe to Dgin - Dghinghe, which, for the sake of euphony, has been changed to Dinke, Dinka, either by the natives themselves or by the Arabs.

According to all the maps, it appears that the Dinka once occupied a very extensive area. The name Dinka is common to all the tribes included between 6° and 12° N, and between 26° and 34° W; that is to say, from the Bari tribe to Bahr el Dinka, near Dar-Fazogl [Fazughli] in Sennar, and from the River Tschol-Sobat to the Dar-Fertit.

I have no proof by which I can establish the extension of the Dinka tribe along the right bank of the Nile. To my way of thinking, Tschol or Yol is a Dinka name, and means 'tail' or 'extreme point'. This leads one to suppose that, in days gone by, the Dinka were masters of this river, and to indicate the source of the Sobat tributary, they named it Tschol or Yol-Sobat.

The names Alual and Agot are also Dinka, and thus it would appear that in past times the Dinka occupied the villages on the right bank of the Nile as far as Bahr-El-Dinka. I do not know if there are still tribes belonging to this race in these districts. Certainly the Dinka are the most numerous, and speak the same language in the whole of the Sudan, thus showing signs of having the same origin.

The disappearance of the Dinka from Sennar, must be attributed either to their mixing with other races, or because they were forced to retire before the continuous attacks from the Abyssinians, Kaffa, Galla, and Jallaba.

All these people seem to recognise the Dinka as brothers, despite the fact that they have adopted the Arab language instead of the Dinka, which at one time appears to have been the language of their country.

The name Dinka also applies to that south-western area having as neighbours the tribes of Dar-Fertit, and Dar-Nyam-Nyam. 1 It is certain that the Rek tribe is one of the Dinka tribes. The Dar-Fertit tribes are not Dinka, and I cannot explain their presence in our territory, except by saying that it is probably due to some intrusion. Nyam-Nyam is a corruption of our word 'ciam' (to eat), and repeated as 'Ciam-Ciam', as is our way

Both the Dar-Fertit peoples and the Nyam-Nyam form different families to ours as regards their physical consitution and customs. They are rather small in build and sturdy. The Nuer and the Shilluk especially do not like to be called Dinka, although their type, language and many customs show them as belonging to this race. Frequently the Shilluk go to war with the Dinka, as in the time of Ismail Pasha, when they joined forces with him to fight the Dinka inhabiting the right bank of the Nile from Dar-el-Fung to Sennar.

CUSTOMS OF THE DINKA :

Occupations. The population generally follows pastoral occupations and cultivation of the soil. The young men look after the animals, that is the oxen, cows, goats, and sheep. When they are in the grass-lands their sisters or relatives prepare their food. The parents look after the cultivation in the fields. Cattle consitute the main source of wealth of the inhabitants.

Agricultural instruments and produce. The Dinka have primitive tools which they use in the cultivation of their soil. They are made either of iron or bone, and shaped like a shovel about 50 centimetres long. As soon as the sowing season starts all the dried grass is gathered and burnt. After the first rain, the father, mother, sons and daughters, who are able to work, go to the fields where they work on their knees. As soon as the ground is ready, sowing begins. Our grain is a kind of very hard buckwheat. The soil is fertile and there is an abundant yield of maize, cotton, sugar-cane, Sudanese beans, sesame, bananas and beans.

1. I.e., The Zande country (Ed., S.N.R.)

We have some fruit-bearing trees : the tamarind, the heglig, and a kind of tree whose fruit, in time of famine, we dry and grind to make flour, from which a kind of bread is made. This tree can found between the Gianghe and Nuer tribes. Harvest is reaped twice yearly. The first cutting is made from the roots, which are left to provide fresh shoots. The second takes place two months after the first, during the period between the rains and summer. However, this harvest does not yield much, and the wealthier people do it more to provide food for their cattle.

Government . There is not an organized central government, but in each village certain people are elected by those who are mainly engaged in affairs concerning war. Otherwise, everyone is his own master, and does what he likes with his goods. The sons are always subject to their parents until they marry, and if they do not marry they remain in the family.

Clothes. Generally men and boys go naked; married women were two skins tied to their loins, one hanging in the front, and one at the back. Girls are completely naked.

Trade. As money is unknown, all trade is carried on by barter.

Houses. The shape of the huts is round. They are made in the following way : about half a metre in depth is dug out : poles about two metres in length are stuck into the ground. These are plastered with a mixture of mud and hay or straw to make it more consistent. Planks are then placed on the poles forming a cone. All this is a man's job. Women do all the thatching. This is so nicely done that the huts are rainproof. The door is about half a metre high and one must stoop to enter. The stall, which shelters the cows, bulls and goats has a higher door, this being about one and a half metres in height. The windows, if such they can be called, are the size of a baby's head. The Dinka have a lot of cattle and, therefore, require much grazing ground. A large part of the population remains in the open country for most of the year, and does not return to their houses until the rains begin. Only the aged and very young are left behind in the villages.

Beds. The women, and those who sleep indoors, make their beds on the ground. They lie on skins of oxen - cut in half and well arranged. The men, who look after the cattle, lie on the ashes of the cow dung, which they first dry and then burn, to keep the insects away from the cattle.

Marriage. As regards matrimony, as soon as the son or daughter has found his or her choice the parents are consulted. In the absence of parents the nearest relatives deal with the matter. As soon as an agreement is reached the wedding day is fixed, and religious ceremonies take place. On the

day of the wedding the bridegroom must give the bride's parents and relatives cows and a bull; ten cows to the mother, five to each of the brothers of the bride; he must give beads to the sisters, as well as rings of brass, copper, or other metal. The bride receives no dowry from the husband nor from her parents, except through inheritance in the event of their death. From this it can be understood that a poor man or woman cannot marry a wealthier one. Polygamy is allowed among the Dinka, and it is very rare to find a wealthy man having only one wife. This multiplicity of wives, and consequently of children, does not deprive the first wife and her children from having the first place in the family. When the father is dead, one of his brothers or nearest relatives is obliged to take the widow as his wife; and if there are more than one, he must at least take the first, and give the others their freedom and goods, so that they can feed their children. As no authority exists to settle disputes, the strongest is always in the right. This also happens in other disputes, apart from matrimony.

It is the custom here that the young people cannot get married without the explicit consent of their parents or nearest relatives. When two young people want to get married, they must inform their parents of their intention to marry so-and-so. The parents on both sides then go into the matter, and if they are in agreement, they fix the date for the marriage to take place.

There is, of course, class distinction. The rich cannot marry the poor, or vice versa. One is not allowed to marry outside the tribe, unless the stranger has settled in the village or is considered to be a citizen of it.

It often happens that the parents agree to a union of their children, and, as a guarantee, each of the parents fixes a ring to the ear, in the case of a son, or bracelet in the case of a daughter; this was done to me and to my eldest sister. These promises are generally kept, and the father who breaks his word is considered to be unfaithful.

Despite the custom of asking the parents' consent, it often happens that young men, spurred on by love, marry against the wishes of their parents.

Marriages between near blood-relations are prohibited. I have never heard of nephews or cousins being united in marriage.

Dignity of Dinka women. I have often heard it said that Negroes do not believe that their women have an immortal soul, and therefore the men merely make use of her on a purely material basis. This is not true with us Dinka. It is true, that we do not leave the women idle, and often it is they who take on the heaviest tasks. But, considering their public prayers, the

religious ceremonies they hold in families, in the absence of the father, and the sacrifices they make after his death, such an assertion is untrue. The father is the head of the family : then comes the mother. The women look after the welfare of the family, and enjoy the esteem of their husbands. Their authority over the children is respected.

Circumcision. Circumcision is practised for the male sex only. I do not know in what circumstances it was introduced. I believe it was done because it was thought to be a sign of progress. There is no fixed period as with the Arabs, who perform it between the ages of five and ten. There are no people who specialise in it. Generally, it is the father. Among the Dinka circumcision can take place at any age, and is not accompanied by a religious ceremony. I have known young men of 18 and 20, and fathers of children, to have themselves circumcised.

Tattooing. Tattooing is not practised by us, but the four incisor teeth of the lower jaw are removed from the children as soon as they are ten or eleven; perhaps to give them a better chance of pronouncing the language.

Burial of the parents. The burial of the parents is the duty of the eldest son. When the father or the mother dies this son chooses a spot near the parental home. Here a grave is dug. All the nearest relatives are invited to weep for the deceased. Before laying the body to rest, the hair is shaved off, the body is washed, covered in cloth, and, generally, placed in the grave in a sitting position. After three days of mourning, a lamb is let loose to be devoured by the wild beasts. This sacrifice is made so that the evil spirit (Gion-dit) does not take the soul of the deceased to the house of fire (Pan de Mac). All the relatives also shave off their hair.

Care of the snake. Among the Gianghe, the python is not feared and, although not worshipped, is held in respect. Generally it is to be found near the dwelling places, hidden under the straw or among the canes. The fact that they are such quiet neighbours seems to have earned them this attention, and each family always prepares a little grain, seasoned with butter, placing it at the spot where the python usually appears.

The Sacred Cow. Among the objects worshipped is the Sacred Cow. This is solely reserved for sacrifices or public prayers, which take place during times of disaster, such as famine or war. These sacrifices and public prayers are reserved for the women, who must not drink the milk or eat the flesh of these cows. Nearly every family has one. When disaster befalls the country, all the women meet and the chief hands over one of the Sacred Cows. The women lead it to the river, and together sing "Yen dig ayan wir o yen dig

ayan pan de kir" "I am leading the heifer to the river, I am leading the heifer to the land of the rivers" I do not remember the rest. This chorus is sung after each stanza, which is sung by some of the women as they push the cow towards the banks of the river. As soon as the cow is in the water, the women silently return to their homes without looking back. Often the cow returns to its herd and this is a sign of great calamity and the ceremony is repeated until the cow does not return. At another time, it is a bull, sacred because born of a Sacred Cow, which is offered in sacrifice to placate an evil.

I well remember having watched similar ceremonies during my childhood. For some time, smallpox had been rampant among us. The greater part of the people had crossed the river with their animals in search of pasture. The disease continued to spread. Many sacrifices and prayers had been offered but without effect. Then, one day, a man who said he was a compatriot of ours presented himself to the Chief and asked leave to speak to the people. This was granted. At about nine o'clock, all of us in Wen de Meren gathered in the courtyard of the Chief. The mysterious man appeared with his eyes blindfolded and spoke at length through the medium of an interpreter. The gist of his speech was to persuade us to do what he said if we were to be freed from the curse of this disease. We listened to the speech with great attention. The suggested remedy was that all the men, boys and girls, women and children should run after the bull pushing him forward and going once round the zeriba. As soon as the speech was over, all the people careered madly, according to the prescribed instructions. The first who were able to follow the bull at close quarters and return to their point of departure would infallibly be cured of the disease. Those who lagged behind had to resign themselves to a miserable death from smallpox. When the chase was over and everybody had returned the animal was killed and burnt on the spot.

The mysterious man disappeared with his interpreter - but not the smallpox.

Everyone who has a sacred ox is held in esteem. In the evening after supper the man takes his ox around the zeriba, singing its praises, that of his fore-fathers, or the beauty of his ox. More praise is sung if the ox bellows during the song.

Blessing of the fruit. Among the religious ceremonies I remember, there is the blessing of the new fruit. No one of the family, including the children, must taste the new fruit until the father, or the mother, in his absence, has scattered some round the courtyard, asking the blessing and protection of Den-dit or Goran (God) on all the family.

BOOK REVIEWS

J. M. Ahmed THE INTELLECTUAL ORIGINS OF EGYPTIAN NATIONALISM.

(Vol. 3 of Middle Eastern Monographs : London, Oxford University Press for Chatham House, 1960. xi + 135 pp., 25s.)

This short book, written by the present Sudanese ambassador to Ethiopia, chiefly deals with the ideas, the mutual relationships and the influence of a group of Egyptian thinkers and writers during the early years of this century. These men, whom Cromer called the "Girondists" because of their generally moderate position within the Nationalist movement, were all in some way followers of "the imam and professor" Shaykh Muhammad 'Abdu, and they made it their task to develop his teachings about Islamic reform and the regeneration of the Muslim community as a whole, and to apply them more particularly to conditions in Egypt before the first world war. The activities of some members of the group, such as Saad Zaghlul and his brother Ahmed Fathi, Qasim Amin and Hasan 'Abd el-Raziq, have been more fully discussed in other books, including some in English. Here Mr. Ahmed takes as his central figure Ahmed Lutfy al-Sayyid, editor of Al Jaridah, the mouthpiece of the Umma party, from 1907 until the outbreak of the war. A separate chapter is devoted to Lutfy's analysis of the principal social problems of Egypt and the remedies which he advocated, and most of the material for this is taken from his editorials.

But Mr. Ahmed does not consider his Girondists in isolation; he surveys the earlier impact of European ideas and institutions upon Egyptian intellectuals and, in a brief postscript, he shows how the work of Muhammad 'Abdu's followers was in various ways diverted and frustrated by the course of events from 1919 to 1952. Thus his book spans the long period of Egyptian history from the sudden ending of its medieval era with Napoleon's invasion in 1798 down to the triumph of the Free Officers' movement, and it keeps clearly before the reader successive stages in the discussion of a complex and deeply-felt problem. How was it possible to reform the traditional institutions of an old-established and extremely conservative society so as to strengthen them and bring them more closely into line with those new European currents which seemed to carry the secrets of success and prosperity, without destroying that society's vital roots in the process?

In the earlier period of Muhammad 'Ali and his immediate successors this problem could be approached fairly dispassionately by the modernisers, and treated as a question of selective adaptation. But in the years after 1882 it

was complicated by the fact of British political control, which made it both more urgent and more contentious. In various ways reform questions became enmeshed in party politics. Some Western ideas might prove serviceable as weapons against the West; traditional Islamic institutions might be refurbished for the same purpose. Thus several thinkers were attracted by the pan-Islamic teachings of Jamal el-Din al Afghani, and by the Hamidian Caliphate. But Mr. Ahmed shows how Muhammad 'Abdu and his followers came more and more to reject such ideas, and to concentrate their energies on the practical Egyptian issues of the day. On the question of reforming Islamic institutions, and the always ticklish problem of "imitating" non-Muslims, they continued firmly to maintain a central position, between the Westernisers *à outrance,* of whom Khedive Ismail may seem in many ways to have been the most influential and outspoken, and the fanatical traditionalists. In following this course they are seen by the author as representing the central tradition of Egyptian nationalism right down to our own times.

As nationalists, they matured and worked in an interval between two phases of militant violence, the 'Orabist and the Wafdist, a time when direct action seemed to offer few prospects of success. They were more concerned to lay a firm basis for the future than to agitate for immediate political change. After the signing of the Anglo-French entente in 1904 Egyptian nationalists could no longer hope for effective support from France, and with the revolution in Turkey in 1908 most of them ceased to look for help to Constantinople. It was thus with the belief that Egypt must work out her own salvation that Fathi Zaghlul, Lutfy and the others set out to influence public opinion. Their first concern was to evaluate traditional Egyptian ideas and ways of life and to decide, if necessary, how best they might be modified. This most of all was Lutfy's approach, and the reader cannot but be impressed by the sense of responsibility, the deep concern and the fearless candour which he brought to his task. Himself having come under the influence of thinkers so diverse as Mill and Tolstoy, he believed that the first duty of the reformer was to help in creating a real collective consciousness in the nation. This could only be done by education, in the potentialities of which he had an unlimited faith. "Egypt had lost her liberty not through external factors but through an inner deterioration ... proper education would recreate the habits of freedom to replace those of servitude." (p. 100). As to the path which a people so regenerated should follow he was perfectly clear: "The dominant civilization of today is European, and the only possible foundation for our progress in Egypt is the transmission of the principles of that civilization." The practical problem would be, in Mr. Ahmed's words, "to reconcile traditional ways of living with modern scientific behaviour".

The comparative moderation with which the thinkers of the Umma party viewed the political issues of the time both commended them to the British and exposed them to attacks by the more embattled nationalists. Cromer called them "the natural allies of the European reformer". Their clashes with the other nationalist groups were sometimes caused by their modernist attitudes as well as by tactical disputes, as was shown by Mustafa Kamil's fierce denunciation of Qasim Amin's campaign for the emancipation of women.

But the position of the party changed somewhat in the years before the first war; the author shows how the hardening af attitudes after the unforgiveable Dinshawi sentences, and the pro-Khedivial policy of Gorst made the Umma leaders more critical of Britain's methods and more suspicious of her intentions, although there was some return to better feeling in the three years of Kitchener's consulship. However, all the political parties ran down during the final pre-war years, and there was little continuity with conditions after 1918. Saad Zaghlul's adoption of political militancy, his incomplete victory, the diversion of effort from further reform and the break-up of the old Umma group in the twenties are briefly surveyed in Mr. Ahmed's postscript. Despite the "deepened cynicism" which became widespread after the Wafdist leader's death, the author argues that in various ways the spirit and empirical methods of Muhammad 'Abdu's school survived, and after 1952 it was possible for them to come to the fore again. "Contemporary Egypt" he writes, "takes many of her symbols from the pre-first world war year of preparation", and although the later evocation and exaltation of pan-Arabism may seem a far cry from the rigidly Egyptian outlook of Lutfy and Zaghlul there is no doubt that in their social reform work the Free Officers started with many of the presuppositions of Muhammad 'Abdu's disciples. In Cairo a few years ago one could occasionally hear Lutfy referred to by young officials almost as the Grand Old Man of the movement, and his ninetieth birthday last January was the occasion for extensive and affectionate tributes in the daily and weekly press.

This book needs no further recommendation; since it appeared late in 1960 it has been widely praised by students of modern Middle Eastern history, and it may well come to take its place alongside such work as Adams' *Islam and Modernism in Egypt*, Gibb's *Modern Trends in Islam*, and Cantwell Smith's *Islam in Modern History*. It is throughout a model of clarity and conciseness. We hope that one day Mr. Ahmed will find leisure to return to the subject, and to treat at greater length some of the absorbing and highly topical questions which it poses.

J.S.F. Parker.

CORRESPONDENCE

Department of Geography,

University of Khartoum.

12. 1. 60

The Editor,
Sudan Notes and Records.

Dear Sir,

With the increased attention now being given to archaeology and the study of pre-history in the Sudan your readers may be interested to hear of the discovery (in December 1959) of stone age implements at a new site, Abu Haraz, on the Blue Nile.

Numerous objects were found on the surface over a large area among the three settlements which comprise the village north of the Rahad. This area, being part of the Blue Nile *kerrib,* is subject to gullying, and erosion has stripped off the overlying clay exposing outcrops of sandstone.

The implements were studied by Messrs. Vercoutter and Adams of the Sudan Antiquities Service. Preliminary examination has related them to the Khartoum Mesolithic and Neolithic, as close similarities were found with cores and crescent scrapers excavated by Arkell at Khartoum and Esh Shaheinab. One small hand axe, however, defies comparison and appears to be much earlier than all the other items.

The site is a logical one for neolithic settlement in view of the importance which fishing assumed in the Khartoum Neolithic; and the fishermen of Abu Haraz confirm that the confluence is a rich fishing ground at the flood season. As one veteran fisherman put it, "Fish can smell the Rahad from Omdurman".

It is to be hoped that eventual excavation will reveal the full significance of the site in the study of stone age man in this part of Africa.

Yours sincerely,

John R. Randell

PHILOSOPHICAL SOCIETY OF THE SUDAN

Hon. Secretaries' Annual Report - 1st October 1959 to 30th September, 1960.

1. *Membership*

Fifty-two ordinary members were elected during the season, the second largest annual intake in the history of the Society (the largest was in 1956-57, when sixty-four ordinary members were elected). Twenty-nine members left the Society, usually as a result of their leaving Khartoum, or the Sudan. The total membership at the end of the season was 164, compared with 141 in September 1959. The increase reflects the results of the more vigorous recruiting policy promised in last year's Annual Report.

2. *The Fifteenth Annual General Meeting.* The fifteenth annual general meeting was held in the large geography lecture room of the University of Khartoum. at 6 p.m. on Tuesday, 12th January, 1960.

The following officers and members of Council were elected for the season 1959-60 :-

President :	Professor J.H.G. Lebon
Vice-President and Hon. Treasurer	Mr. M. Jolliffe
Hon. Secretaries	Sayed Hassan Bashir Ahmed
	Dr. G. N. Sanderson
Members of Council	Professor H. Butler
	Dr S.O.S. Dark
	Mr. W.J. Hill, O.B.E.
	Dr. Ihsan Abbas
	Mr. Sabit Girgis Assabgy
	Dr. Hadi El Nagar
	Sayed Ibrahim Hassan Allam
	Dr. Mohammed Said Bayoumi

Ex-Presidents, *ex-officio* members of the Council, were :

Sayed Justice M.I. El Nur
Capt. G.W. Ogden
Professor H. Sandon
Professor M. Shibeika

3. *Council.* One Meeting of the Council (the thirteenth) was held on 16th December, 1959. It was mainly concerned with arrangements for the Eighth Annual Conference, and the choice of theme for the Ninth.

4. *Executive Committee.* One Meeting of the Executive Committee (the fourteenth) was held. This meeting was also concerned mainly with the Conference Arrangements; but it also cleared up a number of minor pieces of administrative business.

As no meeting of the Council was held between January and September, 1960, it was not possible to elect a new Executive Committee.

5. *Publications Sub-Committee.*

Dr. S.O.S. Dark was elected *vice* Professor S. Fawzi deceased. The business of this sub-Committee was transacted informally.

6. *The 1960 (Ninth) Annual Conference.* The topic chosen was "Surveying for Development in the Sudan" and the President of the Society, Professor J.H.G. Lebon, was appointed Convenor.

7. *The 1959 (Eighth) Annual Conference.* The Eighth Annual Conference was held on 14th and 15th January 1960. Its theme was "The Health of the Sudan : a study in Social Development", and it enjoyed the high patronage of the President of the Supreme Council for the Armed Forces. Professor H. Butler was Convenor, and the Conference was formally opened by His Excellency the Minister of Health. Spoken communications were delivered by Dr. Ibrahim Hussein, Dr. Hadi al Nagar, Sayed Ali Hassan Abdalla, and Dr. Ahmed Ali Zaki. The Convenor introduced the written communications; and an exhibition of illustrative photographs was shown during the Conference.

The administrative arrangements and the publicity for the conference were handled by Mr. M. Jolliffe and Ustaz Ezzel Din Mamoun of the University Library.

The Conference aroused keen interest among the public, which was reflected in the very satisfactory attendance.

The Proceedings of the Conference are to be published.

8. *Ordinary Meetings.* Six Meetings were held in the course of the session.

96th Meeting : 27th October, 1959 : 30 members and guests present.
Chairman : Dr. G. N. Sanderson.
Ustaz Salih Mohd. Nur : "The Memoirs of Yusuf Mikha'il"

97th Meeting : 24th November, 1959 : 38 members and guests present.
Chairman : Mr. Justice M.I. El Nur.
Dr. Hassan Ibrahim Hassan : "The utilization of the Waters of the Nile".

98th Meeting : 29th December, 1959 : 19 members and guests present.
The Presidential Address : "The Role of the Native Courts in the administration of justice in the Sudan".

99th Meeting : 26th January, 1960 : 35 members and guests present.
Chairman : Mr. M. Jolliffe.
Dr. P. Collinson : "Religion, Art and Empire in Ethiopian History".

100th Meeting : 23rd February, 1960 : 25 members and guests present.
Chairman : Sayed Musa Abd al-Karim
Dr. M.A. Nour : "Agricultural Education in African Universities".

101 st Meeting : 5th April 1960 : 29 members and guests present.
Chairman : Sayed Charley Antoun
Mr. D.A. Francis : "Aerial Survey Methods : their application to Forest, Soil and Land Use Surveying".

9. *Special Meetings.* One special meeting was held on 20th February, 1960. 40 members and guests were present.
Chairman : Professor J.H.G. Lebon
Mr. L.P. Kirwan : "The Royal Tombs of Ballana and Qostol in Lower Nubia".

10. On 24th February Professor P.L. Shinnie delivered at the University a paper, which members of the Society were invited to attend, on "The Medieval Kingdom of Ghana".

11. *General.* The Society continues to prosper. There was a marked increase in membership during the session, and the membership figure is very satisfactory. The Eighth Annual Conference worthily continued the series of successful Conferences; and this activity of the Society is now firmly established as one of the features of the Khartoum 'season'. The weakest point is the rather poor attendance at ordinary meetings : this would became even more apparent if the attendance figures showed 'members' and 'guests'

separately. The Secretaries attempt to provide a balanced programme catering for a variety of tastes; if they are not succeeding the remedy lies in in the hands of members themselves. Suggestions of topics for papers, and above all offers to read papers, will always be gratefully received by the Secretaries. The Society can live and prosper only if the members support it not only by their subscriptions but by their active interest in its proceedings.

H. B. Ahmed
G. N. Sanderson
Joint Honorary Secretaries

Printed by :-
TAMADDON PRINTING PRESS
KHARTOUM